



FEDERAL BUREAU OF INVESTIGATION

CARLO TRESCA

PART 3 OF 10

BUFILE: 61-1335

Carlo Tresca

Section 3

PAC:KAC-5

Post Office Department
OFFICE OF THE CHIEF INSPECTOR
Washington

94521-E

August 30, 1923.

Mr. W. J. Burns,
Director, Bureau of Investigation,
Department of Justice.

SEP 5 1923

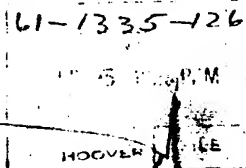
My dear Mr. Burns:

I transmit herewith for your consideration a copy of the report of Post Office Inspector Keen dated August 23, 1923, concerning an alleged violation of Section 480 of the Postal Laws and Regulations of 1913, by "Il Martello", New York, New York. The May 5, 1923 issue of this publication contained an objectionable article reflecting on the royal family of Italy. A complaint was made by the Italian Embassy through the Department of State. It will be noted that Carlo Tresca, owner and editor of the paper, has been arrested, but the United States Attorney's office is doubtful whether the article in question constitutes a violation of the postal laws. However, Tresca is also engaged in selling obscene books, and it was suggested by Special Agent Charles J. Scully of your bureau, that his office, if directed to do so, could probably aid in securing evidence by having Italian operatives or associates of the operatives, send orders to Tresca for these obscene books.

It will be much appreciated if you will kindly have your New York office instructed to cooperate with the inspector in his investigation with a view to securing sufficient evidence to obtain a successful prosecution.

Sincerely yours,

Chief Inspector.



SEP 21 1923

Post Office Department

O. A. Keen,

OFFICE OF INSPECTOR

CASE No. 9452

Inspector
S. J.

suppln.

New York, N. Y., August 23, 1923.

50159

Subject: New York, N. Y. Alleged violation of Section 482, P. L. & R. of 1913 by "Il Martello".

Inspector in Charge,
New York, New York.



Case of above number and subject was closed on report dated the 18th instant, showing the arrest and arraignment of Carlo Tresca, owner, publisher and editor of "Il Martello", for the publication of an alleged obscene article in the issue of that paper on May 5, 1923. As stated in the report on the case, the United States Attorney's office is gravely doubtful whether the objectionable article in question constitutes such a violation of the obscene statute as to enable us to secure a conviction. It is therefore proposed to include as a count in the indictment the alleged mailing by Tresca of certain obscene books which were deposited in mail at Station "D" of the New York Post Office on the 6th inst., bearing the return card of "Libreria Del Martello". It is known that Tresca owns this library, but we have no proof that he mailed or caused these books to be mailed, and undoubtedly he will deny responsibility for the mailing.

The case is considered one of unusual importance, inasmuch as the files indicate that the State Department is interested and Hon. H. J. Donnelly, Acting Solicitor, indicated on a recent visit to New York in connection with the case, that his Office was also especially interested in the successful outcome of the prosecution. In view of this fact the investigation has been conducted with the aid and advice of the operatives of the Bureau of Investigation, Department of Justice, this city, which has had the movements of Tresca under surveillance for several years. Yesterday the case was discussed at length with Special Agent Charles J. Scully, who suggested that if his Office was directed to do so, he could probably aid in securing evidence by having Italian operatives or associates of the operatives in distant cities, send orders to Tresca for these obscene books which are on sale in his library, and would endeavor to have them forwarded either by mail or express, the idea being that if he forwarded them by express, the Department of Justice would



Case No. 94521-S,
supplemental.

50160

Page 2.

immediately secure his indictment for interstate shipments of this obscene matter. This appears to me an excellent suggestion and it is therefore recommended that the matter be taken up with the Department of Justice in Washington with a view to having the New York Office instructed to co-operate in the investigation of this case in such manner as may appear necessary or advisable in the interest of a successful prosecution.

W. A. Keen

Post Office Inspector.

50157

TFB:ga
61-1335

SEP 21 1923

September 18, 1923.

Mr. M. J. Brennan,
P. O. Box 241,
City Hall Station,
New York City.

Dear Sir:-

I am enclosing herewith for your information copy of a communication directed to me by the Chief Post Office Inspector, Washington, in which he requests the assistance of your office in the investigation of the case against CARLO TRUSCA, editor of "Il Martello", violation of the Postal Laws.

It is desired that your office render all possible assistance to the Post Office authorities in the preparation of this case, and the enclosed letter is therefore transmitted to you for appropriate attention.

Very truly yours,

Director.

Encl. 17836.

MAILED

SEP 19 1923

Post Office Department
OFFICE OF THE SOLICITOR
Washington

50156

August 30, 1923.

Mr. William J. Burns,
Director Bureau of Investigation,
Department of Justice,
Washington, D. C.

61-1335-

Dear Sir:

I am in receipt of a communication from Post Office
Inspector O. A. Keen of New York City, reading in part as
follows:

"Mr. S. N. Willman of the Department of Justice will
no doubt be needed as a witness and as there are several
material differences between his translation of the II
Martello article and that of the local translator of the
New York office, Mr. Mattuck thinks it will be well to
get them together prior to trial of the case in order
that they might agree upon a translation so that their
testimony would be corroborative rather than conflict-
ing.

I would thank you to write me at your convenience
and state what action will be necessary to have Mr.
Willman on hand in New York a day or two prior to the
presentation of the case so that he and one or more of
the local translators can go over the matter together."

Will you kindly advise me what action will be necessary
to have Mr. Willman appear in New York for the purpose stated.

This communication has reference to the case of Carlo
Tresca, publisher of II Martello, who has been arrested in New York
for alleged violation of Section 211 of the Penal Code.

Very truly yours,

61-1335-127

H. J. O'Connell
Acting Solicitor.

CJS-JWD.

NY File R 115 E

Department of Justice

Bureau of Investigation

15 PARK ROW, 14TH FLOOR

NEW YORK, N. Y.

September 19, 1923.

1335
50154

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention: T. F. B.

U. S. VS. CARLO TRESCA-Editor "Il
Martello"-violation Postal Laws.

Dear Sir:

Referring to Bureau letter dated September 18, 1923, initialed T. F. B., and numbered 61-1335, directing that this office render all possible assistance to the Post Office authorities in the preparation of their case against Carlo Tresca, who was recently arrested and charged with violating the postal laws, you are advised that I am writing the Chief Post Office Inspector in this city today, informing him that this office will cooperate in every way on this matter.

It is quite probable that the best assistance that can be rendered in this matter would be to have Italian speaking agents located at points outside of New York City, forward letters making requests for the obscene books and also for Tresca's catalogs. This, however, in my opinion, should be held in abeyance until after a conference is held with the Post Office Inspectors, and I then will write you more fully on the matter.

Yours very truly,

EDWARD J. BRENNAN

SPECIAL AGENT IN CHARGE.

GENERAL INTELLIGENCE

SEP 21 1923

RECORDED & INDEXED OCT 1 1923

61-1335-128

BUREAU OF INVESTIGATION
SEP 20 1923 A.M.
DEPT. OF JUSTICE
NOV 1923

8-JWD.

NY File R 115 E.

Department of Justice

Bureau of Investigation

15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

September 21, 1923.

TELEPHONE, BARCLAY 8160
POST OFFICE BOX 241
CITY HALL STATION

SEP 24 1923

RECEIVED
DIVISION

OCT 1 1923

RECORDED & INDEXED

64-335-129

BUREAU OF INVESTIGATION

SEP 22 1923 A.M.

U. S. DEPARTMENT OF JUSTICE

HOON

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention: T. F. B.

U. S. VS. CARLO TRESCA-Editor "Il Martello".
Violation Postal Laws.

Dear Sir:

Supplementing my letter of September 19th, 1923, on the above entitled case, Agent Scully informs me that this A. M., in company with Agents Starr and Palmera, he conferred with Post Office Inspectors Keen and Webb, and it was again requested by the Post Office representatives that this office assist them in their investigations of Tresca, by arranging it that two or three agents versed in the Italian language, engaged outside of New York State, write to "The Library of Il Martello, Box 92, Station D, New York City", requesting that he forward to them at least one of the publications advertised in that newspaper, and at the same time ask if Tresca could furnish them with copies of "L' Arte di Non Pare i Figli, Neo-Malthusianismo Pratico", (The Art of Preventing Childbirth, Practical New Malthusianism,) and "Verginita e Pudore Le Pertubazioni sessuali", (Chastity and the Virgin State-Sexual Emotions, A study of Sexual Morality. Hygiene and Psychology).

This matter could be handled in this district, but in the event that Tresca upon receipt of a Money Order and request for one of these obscene publications might decide to forward same by express the Government would have no jurisdiction in the matter, whereas should this individual upon receipt of an order for a book send him from some point outside of New York State, then decide to send the obscene book by express, he could then be prosecuted under Section 245, of the U. S. C. C., (importation and transportation of obscene books, literature, etc).

Tresca's case is scheduled for a hearing on Tuesday next, September 25th. However, it is the intention of the agents and inspectors interested in this case, to have the matter postponed for at least two weeks, in order that our arrangements might be carried out.

b2 It will be most likely necessary for Confidential Employee [redacted] to testify in this matter, as he informed Agent Scully that on a number of occasions at Tresca's directions, he deposited in the mails certain obscene literature. The Post Office Inspectors have in their possession several books which they withdrew from the mails and which bear the return address of the "Il

F. B.

Carlo Tresca.

September 21, 1923.

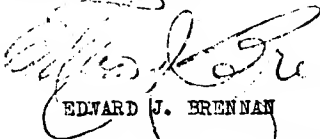
62
Martello Library." This, together with [REDACTED] testimony, will make a prima facie case, and if the United States Attorney thinks well of the evidence the matter will be presented before the Grand Jury, so that Tresca might be indicted prior to the time the adjournment will be asked for.

In the interim, it is respectfully requested that you direct two or three Italian speaking agents to write for these books, and that the Washington Office of Bureau furnish them with back number copies of "Il Martello", as the current issues do not show the names of the obscene publications. It is also requested that this office be notified by telegraph when the agents forward the letters, so that if possible it can be determined what method Tresca is using to forward the books.

It is further suggested that the agents who might be detailed to write the letters, be directed to use an address in some remote town, otherwise Tresca might write to them and state that they could purchase these books at certain book stores located in large cities.

It may be possible that since Tresca's arrest by the post office authorities, he will refrain from sending any more obscene literature, but this of course is to be determined later.

Yours very truly,



EDWARD J. BRENNAN
SPECIAL AGENT IN CHARGE.

RECORDED & INDEXED

HH:GA

61-1335-129

OCT 1 1923

September 28, 1923.

Mr. E. J. Brennan,
P. O. Box 141,
City Hall Station,
New York City.

Dear Sir:-

Receipt is acknowledged of your letter of September 21, 1923, requesting that arrangements be made to have several agents versed in the Italian language, engaged outside of the State of New York, write to the Library of Il Bartello, requesting that there be forwarded to them copies of,

"L'Arte di Non Fare I Figli, Neo-Malthusianismo Pratico", (The Art of Preventing Child-birth, Practical Neo Malthusianism), and "Verginita e Pudore Le Perturbazioni Sessuali", (Chastity and the Virgin State-Sexual Emotions, A Study of Sexual Morality, Hygiene and Psychology).

The Pittsburgh and Boston offices of the Bureau have today been directed to comply with this request, and they have also been instructed to telegraph you at the time the orders for these publications are forwarded.

Very truly yours,

Director

MAILED

SEP 28 1923

September 24, 1923.

SEP-25

C O D E

Bremen

Mark Row Building

New York, N.Y.

Understood Bremen case set for tomorrow stop

Ascertain immediately from US Attorney as witness

here may be instructed to be present stop two

BRND

RECORDED & INDEXED

61-1335-10

SEP 25 1923

RECEIVED

FILE

61-1335-130

CJS-JWD.

NY File R 115 E

Department of Justice
Bureau of Investigation
15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

September 24, 1923.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention: T. F. B.

U. S. VS. CARLO TRESKA-Editor "Il Martello".
Violation Postal Laws.

Dear Sir:

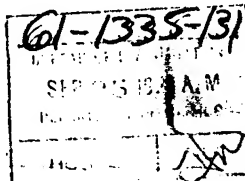
Referring to my letter of the 21st instant, Agent
Scully informs me that today he conferred with Assistant United
States Attorney Mattuck and Post Office Inspectors Keen and Webb,
and arrangements were made whereby the hearing of Tresca will be
postponed until October 9th, during which time efforts will be
made to have the subject indicted, both for publishing the article
which appeared in "Il Martello", and reported upon by this office,
and for the sending of obscene literature through the mails.

Yours very truly,

Edward J. Brennan
EDWARD J. BRENNAN
SPECIAL AGENT IN CHARGE.

GENERAL INTELLIGENCE

SEP 26 1923



OCT 1 1923

Department of Justice

TELEGRAM RECEIVED.

New York, N. Y., September 24, 1923.

Burns,

Washington.

Attention two stop Re TRESCA matter. Postponement will be asked tomorrow until October ninth.

Brennan.

Recd 5:50 P. M.
Decoded LGS

SEP 25

SEP 28 1923

SEP 28 1923

RECORDED & INDEXED

61-1335-132

BUREAU OF INVESTIGATION

SEP 28 1923

DEPARTMENT OF JUSTICE

HOOVER

FILE

Phoned to
Mr. Tolson 9/26/23

Carlo Treves

HN:GA

September 28, 1923.

Mr. R. B. Spencer,
P. O. Box 987,
Pittsburgh, Pa.

Dear Sir:-

CARLO TRESKA, editor of Il Martello, and a notorious radical, is being prosecuted in New York for violation of the Postal Laws. The New York office requests that in order to secure further evidence to be used against Tresca at the trial that an attempt be made by offices outside of the State of New York to secure certain pamphlets or booklets published by Il Martello. It will be necessary that this attempt be made by an Italian speaking agent or by an agent who could command the service of some reliable Italian informant.

The publications desired by the New York office are the following:-

RECORDED & INDEXED

"L'Arte di Non Fare I Figli, Neo-Malthusianismo Pratico", (The Art of Preventing Childbirth, Practical Neo Malthusianism).

61-1335-133

"Verginita e Pudore Le Perturbazioni Sessuale", (Chastity and the Virgin State-Sexual Emotions, A study of Sexual Morality, Hygiene and Psychology).

In addition thereto, in order to divert or allay possible suspicion, it is suggested that the latter ordering the publications above referred to also order "L'Educazione Sessuale", by G. Senizza.

Attached hereto will be found a copy of Il Martello for July 28, 1923, containing on Page 4 the three publications referred to in the foregoing. It will be proper to enclose a money order for the amount of these

Mr. R. B. Spencer 2

9/18/13

publications, addressing the communication to the Library of Il Martello, Box 92, Station D, New York City.

It will probably be well to have the correspondent in forwarding the order request that the booklets be sent to him in a plain envelope in order to avert the possibility of scrutiny by the postal authorities.

It is further requested by the New York office that said office be advised by telegraph at the time order for the above publications is forwarded so that arrangements may be made if possible to determine the method employed by Tresca in forwarding these books. A further suggestion is to the effect that some small town outside of your city might best be used, if possible, as the address to which these booklets are to be directed, otherwise it is believed Tresca might write to your correspondent stating that the booklets in question might be purchased at certain book stores located in your city.

Inasmuch as it is planned to bring Tresca to trial at a very early date, your immediate compliance with the instructions and suggestions contained in this letter is requested.

Very truly yours,


Director.

Encl. 17840.

MAILED
SEP 20 1913

HH:GA

September 28, 1923.

Mr. Lawrence Letherman,
P. O. Box 3185,
Boston, Mass.

Dear Sir:-

CARLO TRESCA, editor of Il Martello, and a notorious radical, is being prosecuted in New York for violation of the Postal Laws. The New York office requests that in order to secure further evidence to be used against Tresca at the trial that an attempt be made by offices outside of the State of New York to secure certain pamphlets or booklets published by Il Martello. It will be necessary that this attempt be made by an Italian speaking agent or by an agent who could command the service of some reliable Italian informant.

The publications desired by the New York office are the following:-

RECORDED & INDEXED

61-1335/34

"L'Arte di Non Fare i Figli, Neo-Malthusianismo Pratico". (The Art of Preventing Childbirth, Practical New Malthusianism).

"Verginita e Pudore Le Perturbazioni Sessuale", (Chastity and the Virgin State-Sexual Emotions, A study of Sexual Morality, Hygiene and Psychology).

In addition thereto, in order to divert or allay possible suspicion, it is suggested that the letter ordering the publications above referred to also order "Fisiologia dell'Amore", by P. Mantegazza.

Attached hereto will be found a copy of Il Martello for June 9, 1923, containing on page 4 the three publications referred to in the foregoing. It will be proper to enclose a money order for the amount of these

Mr. Lawrence Letherman 2

9/28/23

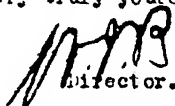
publications, addressing the communication to the Library of Il Martello, Box 92, Station D, New York City.

It will probably be well to have the correspondent in forwarding the order request that the booklets be sent to him in a plain envelope in order to avert the possibility of scrutiny by the postal authorities.

It is further requested by the New York office that said office be advised by telegraph at the time order for the above publications is forwarded so that arrangements may be made if possible to determine the method employed by Tresca in forwarding those books. A further suggestion is to the effect that some small town outside of your city might best be used, if possible, as the address to which these booklets are to be directed, otherwise it is believed Tresca might write to your correspondent stating that the booklets in question might be purchased at certain book stores located in your city.

Inasmuch as it is planned to bring Tresca to trial at a very early date, your immediate compliance with the instructions and suggestions contained in this letter is requested.

Very truly yours,


Director.

Encl. 17841.

MAILED
SEP 28 1923

Department of Justice

TELEGRAM RECEIVED.

Boston, Mass., October 5, 1923.

Burns

Washington, D. C.

Two stop referring to your letter twenty eighth initialed

H.N.-Ga stop informant [REDACTED] b7D

[REDACTED] wrote Carlo Tresca New York for books desired
enclosing money order [REDACTED] stop letter left [REDACTED]
this morning due New York this afternoon New York wired.

Letherman

12:32 P.M.

Recd. 1:18 JAR

Decoded 1:25 ALT

TO DIRECTOR 127413

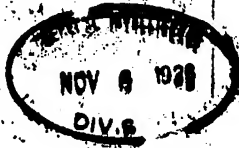


OCT 8 1923

OCT 9 - 1923

RECORDED & INDEXED

61-1335-135
OCT 8 1923 P.
NOV 8 1923
DIV. 8



JGT-JWD.

NY File R 115 E.

October 6, 1923.

Walter C. Foster, Esq.,
Post Office Box 451,
Philadelphia, Pa.

U. S. VS. CARLO TRESCA-Editor "Il
Martello"-violation Postal Laws.

Dear sir:

This office is in receipt of information from a confidential source, to the effect that Carlo Tresca, who was recently arrested in this district charged with violating the postal laws, and is at present out on \$1,000 bail, is to be the principal speaker at a meeting to be held under the auspices of the social study club, at Garrick Hall, 507 South 8th Street, Philadelphia, on October 20, 1923. The proceeds of this meeting are to be applied to the expenses of the trial of Tresca.

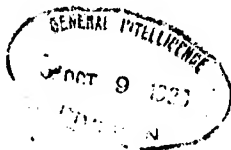
It is suggested that an Italian speaking agent be detailed to cover this meeting, as it would be of interest to this office to know what transpires at this meeting, with particular regard to any statement that Tresca may make.

Yours very truly,

EDWARD J. BRENNAN

SPECIAL AGENT IN CHARGE.

NOV 15 1923



64-1335-135

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Boston, Mass.	DATE WHEN MADE: 10/5/23.	PERIOD FOR WHICH MADE: 10/3,4,5/23	REPORT MADE BY: Charles M. Hoyt.
TITLE AND CHARACTER OF CASE CARLO TRESCA : Box 92, Station D, : Communist Activities. : New York City. :			
FACTS DEVELOPED: <u>Boston & Haverhill, Mass.</u>		<u>Boston Case #101/308</u>	
Reference is had to Bureau communication of September 28, 1923, initialed HN:GA, directing this office to secure the services of a reliable Italian informant to write Carlo Tresca, enclosing money order for the following publications desired by the New York City Office of the Bureau:			
<p>"L'Arte di Non Fare I Figli, Neo-Malthusianismo Practico", (The Art of Preventing Childbirth, Practical New Malthusianism).</p> <p>"Verginita e Pudore Le Pertubazioni Sessuale", (Chastity and the Virgin State-Sexual Emotions, A study of Sexual Morality, Hygiene and Psychology).</p> <p>In addition thereto, in order to divert or allay possible suspicion, it is suggested that the letter ordering the publications above referred to also order "Fisiologia Dell 'Amore", by P. Montegazza."</p> <p>Agent secured the services of [REDACTED]</p> <p>[REDACTED] DO NOT WRITE IN THESE SPACES</p> <p>[REDACTED] b7D-1335-137</p> <p>[REDACTED] BUREAU OF INVESTIGATION</p> <p>[REDACTED] DEPARTMENT OF JUSTICE</p> <p>[REDACTED] ROUTED TO: [REDACTED]</p> <p>[REDACTED] write for the publications desired.</p> <p>[REDACTED] On the third instant [REDACTED]</p>			
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: Washington 3: Boston 2: New York 2:		CMH:G

10/5/25

[REDACTED] wrote in Italian the following letter:

"Libreria Del "Martello",
Box 92, Station D,
New York, N. Y.

Dear Mr. Tresca,

I am sending you money order in this letter for books advertised in your paper "Il Martello". Please send to me the books "Fisiologia Dell'Amore", by P. Mantegazza; "Ver-ginita e Pudore", by F. Laccasagne; and "L'Arte di Non Fare I Figli, Neo Malthusianismo Practico".

When you send them to me please enclose them in a plain envelope to my address."

On the fourth instant [REDACTED]

[REDACTED] Postoffice money order [REDACTED] in the amount of \$2.25 covering the cost of books required, for which Agent paid.

On the fifth instant the letter enclosing money order was sent from [REDACTED] on the train leaving at 5:58 A.M and upon arrival at Bureau office on the same morning, Agent wired the New York office and the Bureau concerning the same.

~~Closed.~~

Continued

CMH:G

b7D

was originated at New York. Journal to be made of originating office.
Instructions, New York, Spl. At. in C. P. NY File R 115 B

REPORT MADE AT:

DATE:

MADE

PERIOD FOR WHICH MADE

REPORT MADE BY:

New York City

10-6-23

10-5-6

Mortimer J. Davis

TITLE AND CHARACTER OF CASE

U. S. VS. CARLO TRESCA, Editor, Il Martello.
Violation Postal Laws.

FACTS DEVELOPED:

Pursuant to a telegram received from Agent Letherman
of the Boston Office, reading as follows:

NEW Direction Bureau secured informant

[REDACTED] write Carlo Tresca for books
on childbirth prevention and sex emotions desired by
your office stop letter signed by above enclosing
postal money order [REDACTED]
[REDACTED] sent Tresca six fifty eight train from [REDACTED]
this morning stop letter will probably reach New York
this afternoon.

Letherman."

Agent proceeded at once to Post Office Station "D", New
York City, and there made arrangements to watch for the letter mention-
ed in the above telegram. Agent at the same time communicated with
post Office Inspector Keen, who is handling this case, and furnished
him with the information given by Agent Letherman.

On October 6th, Clerk Moeckel of Station "D", informed
agent that he had observed all mail received for post Office Box 92,
which is the one used by Tresca, and had noted one letter postmarked
[REDACTED], October 5, 2 A.M., addressed as follows:

"Libreria de la Martello,
Box 92-Station D, New York, N.Y."

and that he had placed this letter in
said box late on the afternoon of
October 5th, when it was received.

At the time agent spoke

DO NOT WRITE IN THESE SPACES

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

ROUTED TO:

GENERAL INTELLIGENCE

OCT 10 1923

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

Washington -3- New York -2- Boston -1-

KJD JWD.

Mortimer J. Davis for October 5-6, 1923. Tresca.

with Mr. Moeckels, which was 11 A. M. of the 6th instant, the letter had already been removed from the box.

The Post Office Inspectors have instructed officials at Station "D" to watch outgoing packages, and endeavor to locate any package being forwarded to the informant at Haverhill, should his order be filled by Tresca.

Arrangements have also been made to search the Post Office records for the deposit of the money order, so that the signature of the recipient may be observed.

It is of course expected that should the informant receive the books ordered, this office will be promptly notified.

Continued.

h 1923.

Memorandum for Mr. Hoover.

I submitted to-day to Mr. Donnelly in the Post Office Department an article translated from the " Martello " of August 11, 1923, containing a very caustic and at the same time obscene attack against the New York State Senator, Cotillo, which article very likely will be included in the general matter for which Tresca will be tried on the indictment of to-day regarding other obscene matter published in previous issues of the " Martello ".

In connexion with this indictment, I beg to call your attention that the case of Tresca was submitted to-day to the Grand Jury instead to the Commissioner as was anticipated some time ago. This transfer excluded the necessity of my being present at the hearing.

Respectfully

J. M. Willman

1335

641035-139



19

Instructions from R. Spencer, Special Agent in Charge.
 THIS CASE ORIGINATED AT Washington D.C. JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Pittsburgh, Pa.	DATE WHEN MADE: Oct. 12, 1923	PERIOD FOR WHICH MADE: Oct. 11, 1923	REPORT MADE BY: H. J. LENON.
TITLE AND CHARACTER OF CASE CARLO TRESKA -		Editor "Il Martello" and directing head Library of "Il Martello", Anarchistic and obscene literature, New York City, N.Y. Possible Violation U.S. Postal Laws.	
FACTS DEVELOPED: AT PITTSBURGH, PA.		67-1335 Office File No. 277-M.R.	
<p>Reference is made to a communication from the Director of this Bureau, initialed HN:CA, addressed to Special Agent in Charge, R.B. Spencer, of this office, and dated at Washington D.C., September 28th, 1923, to the effect that CARLO TRESKA, editor of "Il Martello", is being prosecuted in New York for violation of the Postal Laws. The communication further states that the New York office desired that offices outside the State of New York ascertain whether or not an order for certain pamphlets or booklets published by "Il Martello" would be filled and forwarded through the United States mails.</p> <p>Agent secured the assistance of an Italian informant to order certain booklets or pamphlets as advertised in an issue of "Il Martello", the advertisement appearing on page four, issue of July 28th, 1923.</p> <p>The booklets or pamphlets ordered were:-</p>			
REFERENCE: JEH-2	COPIES OF THIS REPORT FURNISHED TO: Bureau-3: New York, N.Y.-2: File-1.		

LEO

67-1335-140

FILED

OCT 17 1923

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

ROUTED TO:

GENERAL INTELLIGENCE

OCT 17 1923

1 - VIRGINIA

"L' Arte di Non Fare I Figli, Neo Malthusianismo
Prattico", (The Art of Preventing Childbirth,
Practical New Malthusianism).

"Verginita e Pudore Le Pertubazioni Sessuale",
(Chastity and the Virgin State-Sexual Emotions,
A study of Sexual Morality, Hygiene and Psychology).

"L' Educazione Sessuale", by G.Senizza.

"Morfina E.Morfinomani" (Delirium Tremens), Virgilio
Scaffolini.

A money order for the sum necessary was enclosed with the order for the publications. The letter was addressed to the Library of "Il Martello", Box 92, Station "D", New York City, with a request that the booklets or pamphlets be sent in a plain cover in order to avert the scrutiny of postal authorities, and others whose curiosity might be aroused.

A name as near to the name of this Agent that would not attract suspicion was agreed upon, and Washington, Pa., a small town about thirty miles from Pittsburgh, Pa., was selected as the place to order the publications. The order was sent in the name of [REDACTED] General Delivery, Washington, Pa.

470
Agent in Charge, R.B.Spencer, sent a wire to our New York office, dated October 3rd, 1923, containing the information that the order had been mailed.

This Agent received a call over the telephone at my home from the Italian operative, informing me that he had received the

publications ordered and would deliver them to me at the corner of Highland Avenue and Penn Avenue, East Liberty, Pittsburgh, Pa.

Agent met the informant at 7:45 P.M., October 10th, 1923, and received the package which was wrapped in brown paper, bearing a label reading as follows:

"Notice to Postmaster:
Please notify remitter in case
of wrong address.

To: [REDACTED] b7D
General Delivery,
Washington, Penn'a.
Station D.Box 92 New York, N.Y."

In ink below the label appears the words:

"Washington, Penn'a"

To the left of the label a circular stamp in red ink reads:

"Washington, Pa., General Delivery,
October 10, 1923."

Just above the Post Office stamps there are one five cent stamp and three two cent stamps.

Agent untied the white string tied about the package, opened the package and found beneath the brown wrapper four pages of the "New York World" for Tuesday, October 2nd, 1923, pages 5, 6, 11 and 12.


Agent marked on the inside of the brown wrapper the date, October 10th, 1923, with the initials "H.J.L."; also marked the newspaper wrapper October 10th, 1923, "H.J.L.". Agent also made a line mark on the lower edge of back of each publication and made a dot with the point of pencil on the back cover of each publication, which he can identify if that becomes necessary.

The package will be forwarded to our New York office, under separate cover.

We are not enclosing with this report the money order receipt mentioned above, for the reason that the operative did not have it on his person when he delivered the package, and, since he is employed outside the city of Pittsburgh and does not have a telephone, we will be unable to see him in time to enclose the receipt. The receipt will be forwarded as soon as received.

CONTINUED.

Instructions from Agent in Charge Brennan. (N. Y. File No. R-115-B)
Case originated at New York. Journal to be made at originating office.

REPORT MADE AT: New York City	DATE WHEN MADE: 10/13/23	PERIOD FOR WHICH MADE: 10/11/23	REPORT MADE BY: W. R. Palmera.
TITLE AND CHARACTER OF CASE: IN RE: CARLO TRESKA - ITALIAN ANARCHIST.			
FACTS DEVELOPED: At New York:			
<p>At the request of Post Office Inspector Keen, I joined the two Italian translators Rotondi and Chinchiglia at the Post Office Building at 33d St. & 8th Ave., New York, and remained there from one to four p.m., translating articles from obscene books sent by subject through the mail.</p> <p>Said translations are to be submitted to Asst. U. S. Attorney Mattuck for the drawing up of subject's indictment.</p> <p>Continued.</p>			
			
OCT 23 1923			
DO NOT WRITE IN THESE SPACES			
<div style="border: 1px solid black; padding: 5px; display: inline-block;"><p>FILE NO. 61-1335-14</p><p>BUREAU OF INVESTIGATION</p><p>DEPARTMENT OF JUSTICE</p><p>ROUTED TO: FILE</p></div>			
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: Washington (3) New York (1) WRP: FJK		

CJS-JWD.

NY File R 115 E

October 16, 1923.

E. B. Spencer, Esq.,
Post Office Box 987,
Pittsburg, Pa.

U. S. VS. CARLO TRESCA- Alleged
Violation Section 211, U. S. C. C.
Sending Obscene Literature Through Mails.

Dear Sir:

Receipt is acknowledged of a package addressed to
[REDACTED] General Delivery, Washington, Pa., which package
contains four books printed in the Italian language, believed
to be of an obscene nature.

67-A

Yours very truly,

EDWARD J. BRENNAN
SPECIAL AGENT IN CHARGE.

RECORDED & INDEXED

OCT 22 1923

67-1335-142

OCT 17 1923

RECEIVED
OCT 19 1923

Instructions from R. B. Spencer, Special Agent in Charge.

THIS CASE ORIGINATED AT Washington D.C.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Pittsburgh, Pa.	DATE WHEN MADE Oct. 15, 1923	PERIOD FOR WHICH MADE: Oct. 13, 1923	REPORT MADE BY: H. J. LENON.
TITLE AND CHARACTER OF CASE CARLO TRESCA -		Editor "Il Martello" and directing head Library of "Il Martello", Anarchistic and obscene literature, New York City, N.Y. Possible Violation U.S. Postal Laws.	
FACTS DEVELOPED: AT PITTSBURGH, PA. <u>Office File No. 277-M.R.</u>			
<p>With reference to report made by this Agent in this case, under date of October 12th, 1923, entitled as above.</p> <p>Continuing above entitled case, wish to advise that the booklets, or pamphlets, mentioned in the above referred to report, were mailed from this office, October 13th, 1923, addressed to Special Agent in Charge, Edward J. Brennan, P.O. Box 241, New York, N.Y.</p> <p>Attached to copy of this report being forwarded to the New York office is money order receipt #319505, in the sum of \$2.70 in payment of the publications ordered, and received through the United States Mail.</p> <p>This case is closed at Pittsburgh, Pa.</p>			
REFERENCE: JEH-2		<p style="text-align: right;">OCT 26 1923</p> <p>RECORDED & INDEXED DO NOT WRITE IN THESE SPACES</p> <div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p>FILED 64-1335-143 BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE ROUTED TO: <i>[Signature]</i></p> </div> <div style="border: 1px solid black; padding: 5px; display: inline-block; transform: rotate(90deg); transform-origin: center;"> <p>GENERAL INTELLIGENCE OCT 19 1923 DIVISION</p> </div>	
COPIES OF THIS REPORT FURNISHED TO: Bureau-3: New York, N.Y.-2: File-1.			

LEO

7-1149

Instructions from Agent in Charge Brennan. (N. Y. File No. R-115-A)
Case originated at New York. Journal made.

REPORT MADE AT: New York City	DATE MADE: 10/18/23	PERIOD FOR WHICH MADE: 10/17/23	REPORT MADE BY: W. A. Palmera.						
TITLE AND CHARACTER OF CASE: IN RE: CARLO TRESKA - ITALIAN ANARCHIST.									
FACTS DEVELOPED: <p>At New York:</p> <p>At the request of Asst. U. S. District Attorney Mattuck, I today translated the summary of the obscene book entitled "Sexual Education," by Giuseppe Senizza, said translation to be used in connection with the prosecution of subject.</p> <p>Continued.</p>									
<div data-bbox="257 842 520 1049" data-label="Text"><p>GENERAL INTELLIGENCE OCT 22 1923 DIVISION</p></div>		<div data-bbox="868 892 1002 935" data-label="Text"><p>OCT 27 1923</p></div>							
		<div data-bbox="621 935 851 963" data-label="Text"><p>RECORDED & INDEXED</p></div> <div data-bbox="700 978 901 992" data-label="Text"><p>DO NOT WRITE IN THESE SPACES</p></div> <div data-bbox="599 999 868 1071" data-label="Text"><p>FILE NO. 67-1335-144</p></div> <div data-bbox="632 1056 800 1071" data-label="Text"><p>BUREAU OF INVESTIGATION</p></div> <div data-bbox="638 1113 795 1128" data-label="Text"><p>DEPARTMENT OF JUSTICE</p></div> <div data-bbox="599 1149 683 1163" data-label="Text"><p>ROUTED TO:</p></div> <tr><td>REFERENCE:</td><td colspan="3">COPIES OF THIS REPORT FURNISHED TO: Washington (3) New York (1)</td></tr> <tr><td colspan="4"><div data-bbox="907 1192 1013 1249" data-label="Text"><p>WRP WRP:FJK</p></div></td></tr>		REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: Washington (3) New York (1)			<div data-bbox="907 1192 1013 1249" data-label="Text"><p>WRP WRP:FJK</p></div>	
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: Washington (3) New York (1)								
<div data-bbox="907 1192 1013 1249" data-label="Text"><p>WRP WRP:FJK</p></div>									

REPORT MADE AT: New York City	DATE: 10-18-23	MADE: 10-18	PERIOD FOR WHICH MADE: 10-18	REPORT MADE BY: Wm. Ralph Palmera
----------------------------------	-------------------	----------------	---------------------------------	--------------------------------------

TITLE AND CHARACTER OF CASE

U. S. VS. CARLO TRESCA- Alleged violation Section 211, U. S. C.C.
Sending Obscene Literature Through Mails.

FACTS DEVELOPED:

Today, at the request of Post Office Inspector Keen,
I proceeded to the Main Post Office, where I was engaged in assisting
Translator Rotondi, with translations from an obscene book, said
translations to be used in connection with the indictment of subject.

Continued.

OCT 27 1923

RECORDED & INDEXED

DO NOT WRITE IN THESE SPACES

FILE NO. 61-1335-145	GENERAL INVESTIGATIVE DIVISION
BUREAU OF INVESTIGATION	OCT 23 1923
DEPARTMENT OF JUSTICE	
ROUTED TO:	FILE

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

Washington -3- New York -2-

WRP JWD.

WRP

Instructions f

Charge Brenna. (M. 1) F1 No. R-115-E) 1/3

THIS CASE ORIGINATED AT NEW

JOURNAL TO BE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: New York City	DATE WHEN MADE: 10/23/23	PERIOD FOR WHICH MADE: 10/22/23	REPORT MADE BY: W. R. Palmera.
----------------------------------	-----------------------------	------------------------------------	-----------------------------------

TITLE AND CHARACTER OF CASE:

IN RE: CARLO TRESKA - ALLEGED VIOLATION SECTION 211, U. S. C. C. -
SENDING OBSCENE LITERATURE THROUGH THE MAIL.

ACTS DEVELOPED: At New York:

1335

Today, at the request of Post Office Inspector Keen, I proceeded to the main Post Office where I was engaged in assisting translator Rotondi with translations from an obscene book, said translations to be used in connection with the indictment of subject.

Continued.

GENERAL INTELLIGENCE

OCT 29 1923

DIVISION

NOV 1 1923

DO NOT WRITE IN THESE SPACES

61-1335-146

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

ROUTED TO:

FILE

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

Washington (3) New York (1)

WRP:FJK

REPORT MADE AT: <u>Philadelphia, PA.</u>	DATE WHEN MADE: <u>10/22/23</u>	PERIOD FOR WHICH MADE: <u>10/20/23</u>	REPORT MADE BY: <u>CHAS. P. AITA.</u>
---	------------------------------------	---	--

TITLE AND CHARACTER OF CASE:
U.S. VS. CARLO TERESCA - Editor : VIOLATION POSTAL LAWS.
"IL MARTELLINO"

FACTS DEVELOPED:
AT PHILADELPHIA, PA.: 1335

Reference is made to letter received from the New York office of Bureau dated October 6th 1923 - N.Y. File R 115 E., requesting this office to have an Italian speaking Agent detailed to cover a meeting at Carillon Hall - 507 So. 8th St., Philadelphia, where the above subject was supposed to be the speaker.

Agent from 7 PM to 11 PM covered the meeting and ascertained information that this was a Dance held under the auspices of the "CIRCOLO SOCIALE ITALIANO" of Philadelphia and that the proceeds therefrom would be donated to defray the expense of trial of CARLO TERESCA. There was no speech made by anyone at this gathering.

CONCLUDED:

GENERAL INTELLIGENCE
 OCT 29 1923
 DIVISION

DO NOT WRITE IN THESE SPACES

FILE NO. 61-1335-147
 BUREAU OF INVESTIGATION
 DEPARTMENT OF JUSTICE
 ROUTED TO: FILE

REFERENCE: JS: 3-WASH; 1-PHILA; 1-NY

COPIES OF THIS REPORT FURNISHED TO:

CJS-J7D.

NY File R 115 B

October 25, 1923.

Lawrence Letherman, Esq.,
Post Office Box 3185,
Boston, Mass.

U. S. VS. CARLO TRESCA, Violation section
211, U. S. C. C.

Dear Sir:

Referring to your letter dated October 24, 1923, initialed W.J.W., numbered 101-308, concerning the books written for by your informant, I am advised by the Post Office authorities that on October 9th the books requested were placed in the mails and insured under Parcel Post Number 399164, and addressed to [REDACTED] and due to previous arrangements Post Office Inspectors Keen and Webb seized this package, which contained the obscene books, and have turned same over to the United States Attorney.

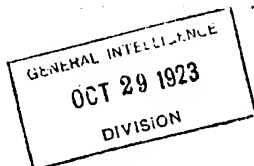
It is quite possible that the Post Office authorities will request the appearance of [REDACTED] as a witness in this case, which will probably be tried sometime during the month of December.

In view of the fact that Tresca is not acquainted with the fact that these books have been taken from the mails, I do not deem it advisable to have the informant write Tresca regarding the matter.

Yours very truly,

EDWARD J. BRENNAN

SPECIAL AGENT IN CHARGE



61-335-1479-21 1923

RECORDED & INDEXED

EX-100

October 27, 1923.

Memorandum Mr. Nathan.

" Martello " the anarchist weekly in New York, N. Y. is advertising in its issue of October 20th a Lecture, Concert and Ball to be given at the " Central Opera House " 205 East 67th Street, New York, N.Y. Sunday, November 11th 1923.

Tresca is slated to lecture on the " Martyrs of Chicago " (the five anarchists executed in Chicago, November 11th 1887).

smw.

RECORDED & INDEXED

NOV 2 - 1923

61-1335-148

7/11/23
FBI

61-1335-148
NOV 2 1923
Hd:J.M.

October 29, 1923.

1335-
J. M. J. J. J. J.
City Hall Station,
New York City.

Dear Sir:

It is noted that the October 29th
issue of "The New York Times" advertises a lecture,
scheduled to be given at the Central
Opera House, 205 West 57th Street, New York
on Monday, November 11th, 1923, at which
Carlo Tresca is scheduled to lecture on the
"Warfare of Chicago".

Very respectfully,
for information.

M. J. B.
Director.

61-1335-

61-1335-148

MAILED
NOV 2 1923

October 27, 1923.

HO:J M

Daly
Federal Building
Providence, R.I.

Undercover Bureau cover meeting in the Auditorium
at 8:30 p.m. and under attract. residence scheduled
at 10:00 p.m. for the purpose of Mr. [redacted] and others
[redacted]

Step two.

Turn.

RECORDED & INDEXED

61-1335-149

File
PMA

Instructions received from R.B. Spencer, Special Agent in Charge.

THIS CASE ORIGINATED AT Washington D.C.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Pittsburgh, Pa.	DATE WHEN MADE: Oct. 29, 1923	PERIOD FOR WHICH MADE: Oct. 27, 1923	REPORT MADE BY: H. J. LENON.
------------------------------------	----------------------------------	---	---------------------------------

TITLE AND CHARACTER OF CASE

CARLO FRESKA

Alleged Anarchist
of New York City.

FACTS DEVELOPED:

AT PITTSBURGH, PA.

Office File No. 277-M.R.

With reference to previous reports made in this matter.

Agent received information to the effect that subject had addressed a meeting in Youngstown, Ohio, and would be in New Kensington, Pa., on Sunday, October 21st, 1923.

Agent arranged with a local Italian operative to cover the meeting and furnish this office with a report.

Agent was unable, on account of other duties, to get in touch with operative for several days after the meeting, when he was informed by the operative that there was nothing of importance to report. Agent requested the operative to send a report telling just what did transpire at the meeting, and received the following:

NOV 1 1923
DIVISION
RECEIVED

DO NOT WRITE IN THESE SPACES

FILE NO. 61-1335-157	NOV 5 1923
BUREAU OF INVESTIGATION	
DEPARTMENT OF JUSTICE	
ROUTED TO:	FILE

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

JEH-2

Bureau-3: File-1.

LEO

61-1335-150

"On Sunday, October 21st, I went to Garibaldi Hall, New Kensington, Pa. At the time I arrived, 1:50 P.M., there were a few people about the place, but by 2:30 there were about 60 fellows in the hall.

The first thing done by the committee in charge was to sell some books. They then received some subscriptions for "Il Martello", TRESCA'S publication.

About 3:00 P.M. TRESCA took the floor. His speech was about the same as those given on previous occasions. He attacked religion, capitalism, the present form of government, and the fascisti government of Italy. He spoke against the fascisti more than any other organization. He said very little of importance during his talk.

CARLO TRESCA'S interest seems to be centered in attacking all forms of government that do not coincide with his ideas. There are very few people who really take his remarks seriously. The ones who take him seriously are the young fellows, but after a while they drop him. Industrially, he is not to be feared."

CLOSED.

Instructions rec'd from Agent In Charge Daly.

NEW YORK, N. Y.

THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT PROVIDENCE, R.I.	DATE WHEN MADE 10/29/23.	PERIOD FOR WHICH MADE 10/27-28/23.	REPORT MADE BY WM. M. DUHIG.
TITLE AND CHARACTER OF CASE: CARLO TRESCA, FRANK BELLANCA, ARTURO GIOVANNITTI, PETER ALLEGRO, ARTURO CALVANI, ETTORE FRISINA, et al.			ANTI-FASCISTI. Italian Anarchist Activities.
FACTS DEVELOPED: AT PROVIDENCE and BRISTOL, R. I.			
<p style="text-align: right;">62 11-1335</p> <p>Reference is made to report of [REDACTED] of the New York Office of the Bureau under date of October 26, 1923, under the title of "ITALIAN ANARCHIST ACTIVITIES, in which it states that an Anti-Fascist campaign through New England to commence on October 27th was under way and that meetings were to be held at Garibaldi Hall, 145 Cedar Street; Iacovoni Hall, Charles Street, and at Eagles Hall, 920 Westminster Street, all in this city; and a meeting to be held at the Princess Helena Hall, 400 Wood Street, Bristol, R. I.:-</p> <p>In company with Agent In Charge Daly proceeded to Garibaldi Hall, 145 Cedar Street, this city, on the evening of October 27th. Stenographic notes of the speeches delivered at this meeting in the Italian language were gathered with the aid of an interpreter, and are incorporated in Agent Daly's report under this title for this date.</p> <p>Proceeded to Bristol, R. I. on October 28th and interviewed the Chief of Police. He stated that the hall located at 400 Wood Street, Bristol, is owned and operated by the order of the Sons of Italy in America; that there was no meeting held there</p>			
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: Bureau 3; New York 2; Providence.		

FILED 67-1335-157	NOV 5 1923
BUREAU OF INVESTIGATION	GENERAL INTELLIGENCE
DEPARTMENT OF JUSTICE	NOV 2 1923
ROUTED TO:	DIVISION

on the previous evening, Saturday, October 27th; and that he had no information to the effect that there was to be a meeting there on this evening.

Agent proceeded to the vicinity of 400 Wood Street and made discreet inquiry of people in the neighborhood. No information was obtained as to a meeting on the 27th of October and there was no information or indication of any meeting to be held there on the 28th of October. This, together with the fact that the hall is owned by the Sons of Italy, which organization is opposed to the Anti-Fascisti movement, would indicate that there is very little possibility of the Anti-Fascisti renting that hall. The Chief advised that he would have the hall covered during the evening of October 28th and any developments would be reported immediately to this office.

With Agent In Charge Daly proceeded to the meeting held at the Eagles Hall, 920 Westminster Street, on the evening of October 28th. Speeches were delivered in both the Italian and English languages. Stenographic notes were taken and are incorporated in the report of Agent Daly under date of October 29, 1923.

REPORT MADE AT PROVIDENCE, R. I.	DATE WHEN MADE: 10/23/23.	PERIOD FOR WHICH MADE: 10/27-28/23.	REPORT MADE BY: JOHN J. DALY.
TITLE AND CHARACTER OF CASE: CARLO TRESCA, FRANK HELLANCA, ARTURO GIOVANNITTI, PETER ALLEGRO, ARTURO CALVANI, ETTORE FRISINA, et al.		ANTI-FASQISTI. Italian Anarchist Activities.	
FACTS DEVELOPED: AT PROVIDENCE and BRISTOL, R. I.			
<p>Referring to report of [REDACTED] of the New York Office of the Bureau under date of October 26, 1923, and to telegram from Agent In Charge Brennan of the same office under date of October 27th, stating that Carlo Tresca and Luigi Quintilliano and Petro Allegra would leave New York for Providence on the 1.55 P. M. train to speak in this city under Anti-Fascisti auspices. Also to telegram from Director Burns dated October 27th instructing Agent to have meeting covered at the Eagle's Auditorium, 820 Westminster Street, this city, Sunday night, October 28th, where Carlo Tresca and others would speak.</p> <p>An Anti-Fascisti meeting had been scheduled to take place on Saturday, October 27th, at Garibaldi Hall, Cedar Street, this city, which is the principal Italian section, at which Carlo Tresca and others were scheduled to speak. Accordingly Agent conferred with Superintendent of Police O'Neil, who stated that he had made arrangements to have a number of plainclothes men and men in uniform at this meeting, as well as at the meeting scheduled for Sunday evening, October 29th, at Eagles</p>			
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: Bureau 3; New York 2; Providence.		

FILE NO.

61-1335-152

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

ROUTED TO:

NOV 3 1923

JJD/WMD

For 10/27-28/23.

Hall, as he had information that some trouble might arise at these meetings. Further that if these meetings were not conducted in an orderly manner he would not allow them to proceed as he intended to be present himself at both meetings.

Agent and Special Emplcye Duhig attended the meeting at Garibaldi Hall, Cedar Street, on Saturday evening, October 27, 1923. The chairman of the meeting was Joseph Tomasselli of Providence. Each speech was in the Italian language and following are notes from the different speeches gathered with the aid of an interpreter:-

- 1.- ETTORE FRISINA. "Don't believe that the Fascisti fought the war and don't believe that they are going to run the country. The present Fascisti was not in the war, the Fascisti that was in the trenches would not do all the crimes to their people that the present Fascisti does. The Italian people are paying heavy for what the Fascisti have done and for what crimes they have committed. The poor peasants have got to suffer the burden. Boys 16 and 17 years old have been misled by Mussolini. The Socialist Party stands for what the poor people want; we are not like the Fascisti and Mussolini throwing down the working men. We have got a heart and a conscience. The finances of the Fascisti are embarrassed. Mussolini tells us that the banks are progressing finely and that all the debts of the Italian government will be paid. The Socialist Party has always maintained that Mussolini's reconstruction of Italy will amount to nothing. Mussolini has got the gift of gab. He states that he is a premier for 100% Italianism. Before the reconstruction in Italy took place you could talk, you could sing, you could do almost anything, but everything has been curtailed by Mussolini. You could even voice your sentiments against certain laws passed before the reconstruction, but today you dasn't speak. He is all but a friend of the working man. Today there are 60,000 working people in jail. These 60,000 are those who dared to protect their mothers, their sisters and their wives from the insults and assaults of the Fascisti. There were about a dozen Fascisti celebrating in a certain town and one of the Fascisti went in a house to rape a woman and when she screamed out of a window for help the other Fascisti took and fired bullets at her and riddled her with lead.

"In this country we are respected like brothers. The militia does not come out unless requested today by the Government, but in Italy the Fascisti come out all in their black shirts without any sanction from anybody. We are working men and we come here from New York to bring you this message, not for any purpose, but just merely to let you know some of the facts of the Fascisti so that you can question the Italian Ambassador when he comes about the acts of the Fascisti.

We come here to earn our bread and butter because our Government does not have enough industries to give us money or bread to live by. Now things are still worse over there. Monday the Italian Ambassador will come here and he will bring his message from Mussolini. If the Italian Government is as such people as he represents they are imbeciles. The Italian masters have got no right to use the Italian laborers in the United States to support their government. The ambassador does not represent the Italian people. He only represents the Italian Fascisti government. We Italians are not going to forget all the Italians, our brothers, our sisters, our relatives, who have been assassinated by the black shirts. Can we forget? We cannot forget."

2. PETER ALLEGRO. "Wherever we go we are always safe, for we always have so many policemen with us at our meetings. The press of Providence says that we come here to cause a revolution or to cause trouble, but we do not come here to cause any revolution. We come here with the facts. The Italian Ambassador has been embarrassed. He said those things against us through the press so that the police can put us under surveillance. If the American press takes any stock in what the ambassador says then they must be radicals themselves. How many times have they told us that we are not Italians because we express ourselves against the Fascisti Government. How many people approach us and tell us we are not Italians because we talk against the Italian government. We are not acting against the Italian people, but against the Mussolini form of government. We are always true to Italy, our mother country. We cannot forget her. Even though we are working on a bench or in an office in this country. We are against the form of Government existing in Italy only, where hatred prevails. We are always thinking of our music, our literature and our art. We adore Italy and its institutions. We do not hiss Italy. We hiss the Fascisti form of government. The Fascisti form of government is like our blackhand. The people that live in Italy now have cooties so poor have they become.

What will the American people say when they hear of this. This ambassador states that he represents the Italian people. If they only knew the history of what he represents, they would throw him out of the country. They wouldn't even give him a concert. The American press tries to let the people understand

"that the Ambassador will be hissed if he speaks here tomorrow. Did you ever go to a theatre and hear a tenor who had a poor voice. Well, this Ambassador has the same kind of a voice and he will look like a discouraged actor if he is questioned on the Fascisti government. We respect the institutions of this country but the ambassador lets the press understand that we don't.

Tomorrow the Department of Justice and the Police are welcome to come over to Eagles Hall and listen to us talk about the Fascisti in the American language. The Ambassador is trying to organize a Fascisti organization in America to lead our people against us. The American government tells us that he represents Italy, lead our people against us, - we don't believe that.

The Ambassador notified the police here that we people were coming and he started propaganda in the papers against us and tired to let the public understand that we came here to cause disorder, but this is not so. Political events I don't understand. I came here to present the facts to the working men. We are calm. We will protect our rights. The police if they come, they can use gattling guns on us if they want to, but someone will take our place to tell the truth about the Fascisti. The Italian Government comes to represent the government and should not spread the propaganda of Fascism. The Ambassador tried to organize a Fascisti order in this country but the American Government refused to let him.

We adore Italy it being a big country, but we cannot adore it with the present administration when the members of their Fascisti govern for their own progress."

The report of [REDACTED] ^{b2} of the New York Office above referred to stated that there would be a meeting at 400 Wood Street, Bristol, R. I. on Sunday, October 29th. Agent instructed Special Employee Duhig to proceed to Bristol and make an investigation along this line. The investigation revealed that no meeting was to take place in that town at the address named; that the Italians there are strongly in favor of the Fascisti Government and would entertain no advocates of the Anti-Fascisti.

Agent proceeded to Eagles Hall, this city, on Sunday evening, October 29th, and attended the Anti-Fascisti meeting. Speeches were

delivered in both the Italian and English languages. The Chairman of the meeting was a Professor Eckstrom of Brown University of this city, who stated that he was an "impartial chairman". Following are excerpts of the speeches, those in the Italian language being taken with the aid of an interpreter:-

1. PROFESSOR ECKSTROM (In English). "I am the impartial chairman of this meeting. My intention is not to make a speech this evening, but at the request of your committee to act as impartial chairman. I shall make my remarks from my manuscript so that after the meeting there will be no misunderstanding as to what I said. That means that I take no sides in any dispute among my good friends. My intention is not to make a speech but owing to the spark of publicity I wish to say a few words. We have met as a group of citizens to discuss a public question. It is because I am intensely interested in a stable government and law and order and security and believe in the right of the citizens to meet together and talk over their problems. I am interested in this meeting only as such a public discussion of the public questions. But the political beliefs of those who speak here this evening do not concern me. I am just as ready to listen to their political arguments. I should be just as glad to serve as chairman for those who are opposed to their opinions. There is only one thing more important than freedom of opinion and discussion, the freedom of opinion and discussion of those people who disagree with us. It is more important to secure the other fellows right than to secure our own. What we most need is this spirit of tolerance and brotherhood between man and man, brotherhood and companionship. Most of you differ with me radically. Two people could not be farther apart in their beliefs than some of the people on this stage and myself. That makes no difference, I am glad to be on the platform with them, it is no use to preach tolerance if you do not practice it.

There has been some talk of this meeting leading to violence and disorder. You, my friends, know better than that. If any man here has the intention of creating disorder at this meeting I ask him to leave the hall now. That goes for the speakers, that goes for the audience. No one leaves. You all promise me good order. I hold you to that promise. Now my good friends, the police and the press have nothing to worry about this disorder. You have promised. I speak without irony. The press and the police are the best friends of the people here and without them public discussions would not be possible. I honor the police. I am glad to see them here tonight, they know their duty and I ask them to do it."

2. ELIZABETH GURLEY FLYNN (In English). "We have come here tonight for the purpose of discussing with the American workers and those workers of Italian birth who live in America the question of the Fascisti movement in America. It attempts to get a footing here, and I ask why it is, and why we don't fight it. You can judge a movement pretty well by its friends, by those interested in it, and one of the first Americans to come back from Italy singing the praise of the Fascisti movement was Judge Elbert H. Cary, President of the American Steel Corporation. This is what they are trying to plant in this country. The Fascisti is the last bulwark of the middle class. It is the attempt on the part of the middle class to protect itself against the large capital on one side and the ever increasing demands of labor on the other hand. Labor is making demands, here and everywhere. It feels that it is a right. Labor gave during the war not only its flesh and blood, but its strength and everything, and after the war was over promises had been made to the working class of the world, - better wages, working conditions, more democracy and it was only natural that the working class of any country in the world should make some sort of demand with these promises not made good. Instead International Fascism is now growing all over the world prompted by International Capitalism. This meeting is for the purpose of putting the hand of fellowship out to the English speaking workingmen in the hand of the Italian speaking worker to say "we are opposed to the spirit of Fascism in this country or anywhere in the world". We will not tolerate war while we can help it. If the Italians had one fair chance at a fair election the Fascisti would go into the political ash heap."

3. FRANK BELLANCA (In Italian). "The Sons of Italy are supposed to be friends of the working man. We want to make a family of the working man, lift him up from the rut into freedom. Mussolini is no friend of the working man, he uses guns and castor oil, there is no freedom, he does not use reason." He then attacked the Supreme Venerable Sons of Italy calling them traitors to his country. He then played the press, saying that D'Sylvestre influenced the press. Appealed to the Italians to vindicate the crimes of the Fascisti, the deaths and sufferings of their fellowcountrymen.

4. ARTURO CALVANI (In Italian). Criticized the hospitality shown to the Sons of Italy and sarcastically joined in welcoming them. Played the police and the press and remarked that he hoped that the police and press would now be satisfied that they did not come to cause disorder. Criticized the meeting tonight where Italy was praised several times by speakers for being under the

"rule of the Fascisti. Said that Fascism stands for oppression; that Mussolini was crazy, but not as crazy as we thought, he is simply money mad. Italy is starving, the people must leave the country and come here. D'Sylvestre bitterly assailed, said he was an ex-Socialist, but told the people not to resort to violence when they hear the delegates speak Fascism. Referred to Sacco and Vanzetti as martyrs."

5. CARLO TRESCA (In Italian). Said he was here because he was 'Sonny Italy'. Said that D'Sylvestre was a clown and an assassin. Said that he had love and hate for Italy - love for Italy as it was, and hate for Italy as it is. Said that the crooks of Italy moved to America and D'Sylvestre is their leader. He is a brigand of Philadelphia. Said that he, Tresca, went to jail for three months in Philadelphia and was proud of it. Glad that he suffered for a good cause. Some day there will be a social revolution, the rich people will be no more, no more poor people, everyone will be equal, and then what will become of D'Sylvestre. Said that D'Sylvestre is using the Sons of Italy to plant Fascism in America. Had D'Sylvestre remained true to his ideals as I did he would have been in jail with me but he climbed up the social ladder. Said he respects the law when he feels like it. He said that D'Sylvestre is a boot-legger, sells booze, is getting rich by selling poison to the people, and uses the order of Sons of Italy to further his interest financially in his Philadelphia bank. Dirty follower of Mussolini hasn't the courage to go out and admit he is a Fascist.
6. ARTURO GIOVANNITTI (In English). "I agree with the expression of the chair that we are here to discuss only the subject and that is the suppression of Fascism in America. But if we must prevent something we must use some prophylactic treatment and in order to know what kind of disease it is we must first diagnose it and one of the first parts of the diagnosis is to find out where it originated and to study its history in its native habitation. If there were no Fascisti in Italy there would be none in the United States today. International relations are of the most importance, and we should discuss what kind of horrible, diabolical disease is now in Italy. It will not be a crime of lese majeste to say that if the thinking people knew what was taking place today in Italy I venture to say that the Italian Ambassador who misrepresents the Italian people would be given his credentials and sent back. Most of you read the "News" last night. (A Providence paper - He then explained how the News published an article that would make the people think that a band of anarchists were coming to town and after they got through here with murder, arson and what not, the City of Providence would look like Tokio and Yokahama after the earthquake.)

He said that there was a mistaken impression that he precipitated the riot here in 1913 or 1914, but that he never started any riot. I am honest and sincere and respectable enough to tell you that I am a radical and I would convert everyone here including the police. I am a plain radical citizen and must take advantage of your patience." He then said that he was a member of the Sons of Italy in America, one of the Supreme delegates, and showed his badge. Said that he would do everything in his power to repudiate D'Sylvestre on the convention floor. He said that D'Sylvestre was once a Socialist but became a Fascist and is now the representative of the Fascisti Government in America; that he was appointed personally by Mussolini as the Supreme Representative of the Fascisti of America and that when he accepted this position he violated his oath to bear allegiance to the American flag. He said that he will charge D'Sylvestre with this on the convention floor. He credited Mussolini with saying that there must always be people who rule others and not even a thousand years from now, no, not after the last spark of the sun is extinguished never will come the day of liberty when you will be free men and women.

He finished by saying: "Get together and stand together - by united efforts the day will come when this pestilence out of hell will be wiped off the face of the earth to make way for the advancing rule of the proletariat".

Attached to the copy of this report to the Bureau is a clipping from the "Providence News" of this city, issue of October 29th, 1923, relating the expulsion of ARTURO GIOVANNETTI and LUIGI ANTONINI from the convention of the Sons of Italy in America, held at the Biltmore Hotel in this city, for their remarks on the floor of said convention.



LUIGI DE PASQUALE
Assistant Attorney General Who Presided at Yesterday's Mass Meeting.

to listen to the addresses made by anti-Fascist speakers, who denounced the Sons of Italy as

forming in this country and charged Giovanni Di Silvestro, Supreme Venerable with being its president, duly appointed by Benito Mussolini. Officials of the Sons of Italy denied the accusations in statements issued by the Supreme Venerable.

The principal speaker at the meeting was Arturo Giovannitti, self-confessed radical who admitted being proud of it. Other speakers were Elizabeth Gurley Flynn, Carlo Trecca, Frank Bellanca, Joseph Tomazelli, Arthuro Calvani, Dr. James P. Reid and Mr. Eckstrom of Brown University who acted as chairman at the anti-fascist meeting.

Superintendent of Police William E. O'Neill, detailed a large number of plain clothes policemen to the hall. These officers, with several of the United States Department of Justice Agents were scattered about the hall in readiness to cope with any disturbance which might occur. The meeting was conducted in an orderly fashion and the services of the police were not needed.

ADICAL LEADERS FO KISS THE AMER CONVENTIO

(Continued from Page One.)

Fascist organizers) to drag in the names of members of the faculty of Brown University as an aid to their propaganda were denounced today by Professor Gaetano Caviechia of Brown. Professor Caviechia said that the men endeavoring to disturb the serenity of the annual convention of the Sons of Italy were trouble-makers who were ruthless in their methods.

"They attempted to get me to lend my name to their enterprise some time ago by telling me that they were holding a meeting to advocate world peace," he said, "and I feel they had misled the public as to the attitude of members of the faculty at Brown.

"They advertised in handbills that Professor Eckstrom was to preside at their meeting. Mr. Eckstrom is not a professor, but an instructor, and he made it clear at the meeting that he was presiding as an impartial judge and not as an advocate of their doctrines.

"They also advertised that Professor Paul Blanchard of Brown was a speaker. There is no Professor Blanchard at Brown, but last year's catalogue contains the name of a Paul Blanchard as an assistant instructor.

"I am devoted to the ideal of an orderly government under constituted authority, and I can do nothing but condemn the activities of those who have long been identified with movements against such government. The Sons of Italy is a loyal, patriotic order that will be unmarred by the vicious actions of these groups who are endeavoring to foment dissension and disorder.

President Faunce today wrote the following letter concerning the announcements made by the anti-Fascists that a Professor Paul Blanchard of Brown was speaking in their behalf:

"I notice a report that a 'Professor Paul Blanchard' of Brown University is to speak somewhere in Providence. Surely some reporter has been misinformed. There is no person by the name of Blanchard connected with our faculty. I do not know who 'Paul Blanchard' is; he certainly is not a teacher or student at Brown."

Several hundred people assembled in the Eagle Auditorium last night.



PROF. GAETANO CAYIACCIA
Chairman of publicity committee,
and active in making arrangements
for the convention.

Under the laws of the order, which charges have been referred to a special committee for investigation, hearing and determination. At the conclusion of these deliberations the supreme council and grand venerable unanimously approved a vote of confidence, solidarity and admiration for the uncompromising attitude of the supreme venerable in executing the laws of the order, in resolutely presenting the necessity of purging the order of this undesirable and un-American element. This resolution has been passed in order to vindicate and reaffirm in solemn and tangible form the ideals of our institution, consisting of love and loyal affection to our adopted country and pride in our land of origin.

Prince Don Gelasio Gaetani, Italian Ambassador to the United States and the honored guest of the convention, arrived from New York shortly after 2 o'clock this afternoon. He was welcomed at the railroad station by cheering hundreds of the Sons of Italy and by a guard of honor made up of officers of the order. A large number of policemen were on hand to preserve order and to guard the prince from possible annoyance planned by the radical leaders who came to Providence to interfere with the orderly conduct of the great convention.

Attempts of anarchists and anti-
(Continued on Page 5)

Providence, Monday Oct 29/12

RADICAL LEADERS FURCED TO KISS THE AMERICAN FLAG AT CONVENTION OF SONS OF ITALY

Delegates Seize Arturo Giovanetti and Luigi Antonini and
Compel Them to Do Homage to National Emblem.
Expelled from Sessions and Forced to Face Charges

Arturo Giovanetti and Luigi Antonini, two radical delegates to the Supreme Convention of the Order of the Sons of Italy in America, were forced to kiss the American flag on the convention floor in the 15th floor of the Providence Billmore Hotel this morning, in the opening session of the convention. Later the Supreme Council and Grand Venerables excluded them from all further sessions and preferred charges against them.

This action came during a debate on a resolution, later passed, to extend the greetings of the convention to President Coolidge.

The two delegates, one of whom had spoken at an anarchist meeting last night in Eagles' Hall, raised objections to the adoption of the resolution.

Summary action then was taken by a group of delegates, one of whom, grabbing the flag, held it while the two offending delegates were brought forward and forced to touch their lips to it.

The disturbance came when the two men objected to the convention sending official greetings to President Coolidge. The delegates listened to them as long as they could stand the tirade and then one delegate grasping the flag, held it in front of the two men, while other delegates forced them to touch their lips to the Star and Stripes. Then they were escorted to the door of the convention hall and the Supreme Council and Grand Venerables went into a two-hour executive session at headquarters on the floor below.

When they emerged from the discussion of the incident, a long statement issued through Supreme Venerable Giovanni DiSilvestro announced the summary action of the supreme body and said that a resolution passed at the executive session endorsed the attitude of the Supreme Venerable in pointing out the necessity of "purging the order of this undesirable and un-American element."

So long did the deliberations require, however, that at 1 o'clock it was announced that there would be



PRINCE DON GELASIO GAETANI
Italian Ambassador to the United
States, Who Is the Honored Guest
of the Sons of Italy Today.

no further sessions today, since the delegates had to meet Prince Gaetani at 2:45 o'clock.

Giovanetti, at the radical meeting last night, had said that he would go into the meeting today to charge Supreme Venerable Giovanni DiSilvestro with being the American representative of Mussolini.

After nearly a two-hour conference at the headquarters on the 14th floor, the Supreme Council and Grand Venerables issued the following statement through Supreme Venerable DiSilvestro.

"The Supreme Council and Grand Venerables of all the states in assembly this morning after deliberating the unpatriotic utterances and conduct of Arturo Giovanetti and Luigi Antonini, resolved to suspend them immediately as supreme delegates to the convention of the Sons of Italy in America and to exclude them from the above said reasons from attendance at all meetings of this convocation.

"Meanwhile the supreme council and grand venerables have placed the said men

Department of Justice
Bureau of Investigation
15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

11 1330
November 1st, 1923.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D.C.

Re: U.S. vs Carlo Tresca -
Violation Sec. 211, U.S.C.C.
Forwarding Obscene Literature
Through the U.S. Mails. N.Y:
File No. R-115-E.

Dear Sir:

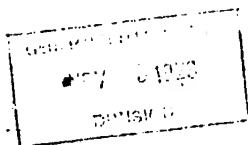
This is to advise that Carlo Tresca was arraigned
before Federal Judge Knox in this district today and entered
a plea of not guilty to the indictment returned against him.

At the request of Tresca's attorney, the case was
set down for trial on November 12th.

Very truly yours,

Edward G. Brennan
EDWARD G. BRENNAN,
Special Agent in Charge.

CJS/WED



NOV 6 1923
61-1335-153

61-1335-15

November 6th, 1923.

R. E. Spencer, Esq.,
P.O. Box 967,
Pittsburg, Pa.

Re: U.S. vs Carlo Tresca, Violation
Section 211, U.S.C.C. Forwarding Obscene
Literature Through the U.S. Mails. N.Y.
File No. R-115-E.

Dear Sir:

Referring to recent reports of Agent E.J. Lennon of
your office concerning the above entitled investigation, you
are advised that the case of Carlo Tresca is scheduled for trial
on November 18th.

Assistant U.S. Attorney Mattuck advises that it will
be necessary to have the Italian informant who sent the money
order for the obscene books here as a witness to testify on that
date, therefore, it is respectfully requested that this office
be furnished with the name of this individual so that a subpoena
might be issued and forwarded at the earliest practicable time.

It may be necessary to also have Agent Lennon here,
but I will advise you further on this within the next few days.

Very truly yours,

EDWARD J. BRENNAN,
Special Agent in Charge.

NOV 15 1923

61-1335-154

CJS/

RECORDED & INDEXED

61-1335-154

1335

Nov. 9, 1923.

Mr. R. B. Spencer,
P. O. Box 937,
Pittsburgh, Pa.

Re: U. S. vs. Carlo Tresca - Violation Sec. 211, U. S. C. C., Forwarding Obscene Literature Through the United States Mails.

Dear Sir:

I am in receipt of your telegram and letter dated November 7th.

It is noted in the letter that you advise that unfortunately your informant is not available as a witness in this case.

Asst. U. S. Attorney Mattuck has demanded that this office make known the identity and address of this witness as his testimony will be imperative to this case and that, if necessary, he will take up the matter directly with the Attorney General.

For your information, I wrote to the Director at Washington under date of September 21st advising that the Post Office Inspectors engaged on this investigation had requested that two or three agents versed in the Italian language engaged outside of New York City, write to the library of "Il Martello," this city, requesting the forwarding of the obscene books advertised by Tresca in his newspaper. The purpose of this was to secure witnesses to prove that Tresca was violating the Postal laws of the United States by sending obscene matter through the mails.

It is to be noted that the transaction arranged for by your office was made part of the indictment returned against this individual; therefore, the necessity of having your informant testify.

We have every reason to believe that the Attorney representing the defendant will ask for a postponement of the case on Monday next, possibly for a period of two weeks. Nevertheless, the name and address of the person sending the money order is requested as soon as possible.

Yours very truly,

EDWARD J. BRENNAN,
Special Agent in Charge.

CJS:FXJ
R-116-E
Ot Wash.

GENERAL INTELLIGENCE
NOV 15 1923

DIVISION

61-1335-156

RECORDED AND INDEXED

1335
50151
Nov. 9, 1923.

Mr. Lawrence Lotherman,
P. O. Box 5135,
Boston, Mass.

Re: U. S. vs. Carlo Tresca - vio-
lation Sec. 211, U. S. C. C., For-
warding Obscene Literature Through
the United States Mails.

Dear Sir:

Receipt is acknowledged of your letter of Nov.
8th concerning the above named individual whose case is
scheduled for trial on Monday, November 12th, but who will
probably request and be granted a postponement for two weeks.

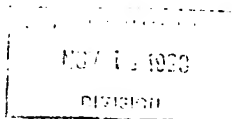
Asst. U. S. Attorney Mattuck, when apprised of
the substance of your letter, advised that it will be neces-
sary that Agent Charles M. Hoyt testify in this case and I
shall notify you when that Agent's presence is required here.
Should it later be considered essential that Gardella be
brought here as a witness, a subpoena will be issued for him
by the U. S. Attorney.

Yours very truly,

EDWARD J. BRENNAN,
Special Agent in Charge.

CJS:FJK
R-115-E
Ct Wash.

NOV 19 1923



61-1335-157

NOV 10 1923

INDEXED


Nov. 9, 1923.

Attention: T. W. R. of
 Box 175, Vero Beach, Florida - Violation Sec. 211, U. S. C. G., Forwarding Obscene Literature Through the United States Mails.

Under date of November 7th Agent in Charge R. P. Jones of Pittsburgh writes, that the informant who was used to secure the Chicago books is not available as a witness. The informant was reported to Asst. U. S. Attorney Patrick J. Donnelly and the former stated that, it was imperative that the name of witnesses be made known at the earliest possible time so that he may be placed under surveillance.

I do not see any reason for the Pittsburgh office to have had a man to secure those obscene books who could not be called as a witness as that was the purpose for which the grand jury was called, contained in my letter of September 21st. The informant advised that the shipment of these books by express to the informant occurred by the Pittsburgh office was made a part of the indictment. Therefore, it is respectfully requested that you direct that the Pittsburgh office forward the necessary information here.

We have every reason to believe that Attorney
Walden and his representing Carlo Grossi will ask for a post-
ponement of the trial for at least two weeks, said trial being
scheduled to take place on Monday, November 12th.

Yours very truly,

 EDWARD J. BRANNAN,
 Special Agent in Charge.

43:JUN
61-1335-158

November 16, 1923.

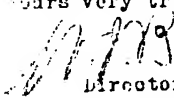
Mr. R. J. Brennan,
P. O. Box 241,
City Hall Station,
New York City

Dear Sir:

Referring to your letter of the ninth instant, relative to the matter of securing the name and address of the individual in Pittsburgh who received books sent from New York by the "All Italy" Group, I have today telegraphed the Pittsburgh office asking for an explanation of the situation.

My letter to them indicated clearly that the books were desired in connection with the prosecution of Tresca and I cannot, therefore, see why any arrangement should have been made by the Pittsburgh office whereby the identity of the individual receiving the books should be kept secret.

Yours very truly,


Director.

61-1335-158

50148

~~xxxxing~~

November 16, 1923.

HN:J M

G O D

Spencer

Standard Life Bldg.

Pittsburgh, Pa.

RE YOUR LETTER DATED NOVEMBER TWENTY-NINE UNABLE DISCLOSE
MATTERS TO ME. I RECEIVED BOOKS IN TRESCA
CASE. SEND MY LETTER SEPTEMBER TWENTY-EIGHT CLEARLY
STATED THAT I WOULD NOT DESIST FOR USE IN TRIAL TRESCA
PROSECUTION. I HAVE BEEN ADVISED BY MY ATTORNEY
THAT I AM NOT TO BE IN CONTACT WITH ANYONE
IN CONNECTION WITH THE SITUATION STOP TWO

Burns.

RECORDED

61-1335-159

NOV 16 1923, A.M.

FILE

1335

FIVE

61-1335-159

Department of Justice,
Bureau of Investigation.
Pittsburgh, Pennsylvania.

November 12th, 1923.

NOV 24 1923

Letter to Mr. Hoover, RECORDED

Director Wm. J. Burns,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

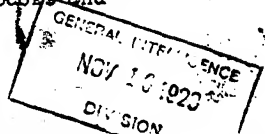
Dear Sir:-

Re: U.S. vs CARLO TRESKA, Violation
Sec. 311, U.S.C.C. - Forwarding
Obscene Literature through the
United States Mails.

Under date of September 28th, 1923, a letter was received from you, initialed HW, stating that Carlo Tresca was being prosecuted in New York for violation of the Postal Laws, and that the New York office requested that an attempt be made by several Bureau offices, not including New York City, to secure evidence as to the mailing of certain obscene pamphlets or booklets, the names of which were specified in your letter, and which were published by Il Martello; that a money order for the books mentioned in your letter be sent to Il Martello, preferably, in order to divert suspicion, by an Italian speaking agent or an Italian informant; that the New York office be advised by telegraph at the time the order was sent, in order that arrangements might be made, if possible, to determine the method employed by Tresca in forwarding these books.

There is no Italian speaking agent attached to this office, and an Italian informant was secured, who duly sent the money order for the books. The New York office was immediately notified by telegraph in detail when the money order was sent, and the books were, in due time, received by the informant at Washington, Pa., which is about an hour's ride from Pittsburgh.

I gathered from your letter that the New York office was to trace the shipment of these books and



Director Burns,

-3-

11/12/23.

thereby secure the evidence which was to be used against Fresca. I did not understand that the sender of the books was to be used as a witness, and when, under date of November 6th, 1923, the New York office, in a letter initialed CJS, stated that Assistant United States Attorney Mattuck, of New York, requested the name of the Italian informant, I replied that this informant is used in an undercover capacity and could not be used as a witness.

This morning, I am in receipt of a letter from the New York office, initialed CJS, dated the 8th instant, stating that Mr. Mattuck demanded that this office make known the identity and address of this Italian informant, and that if necessary he, Mr. Mattuck, will take the matter up directly with the Attorney General.

This is not a new question, of course, having come up a number of times since I have been with the Bureau. Each time the Chief of the Bureau or the Director has upheld the particular Agent in Charge in the latter's statement that the informant is not available as a witness. The particular informant in this case is not and never has been on the payroll of this office. I regret exceedingly, of course, that such is the case and that I misconstrued your letter.

A copy of this letter is being forwarded to the New York office today, marked "Refer to Mr. Scully", who dictated the letter from that office dated the 6th.

Yours very truly,

R. B. Spencer

R. B. SPENCER,
Special Agent in Charge.

RBS:M

CC: New York City - Refer to Mr. Scully.



JEB/AMR

Department of Justice

Bureau of Investigation

Washington, D. C.

November 20, 1923.

MEMORANDUM FOR MR. BURNS.

With regard to the attached correspondence, our Pittsburgh office has placed the Bureau in a very embarrassing situation. For some months, as you will recall, we have been investigating Carlo Tresca with a view of bringing about a prosecution of this individual for misuse of the mails. We directed communications to our Pittsburgh and Boston offices, requesting them to have someone communicate with Tresca and endeavor to obtain a book on birth control and free love. Should Tresca mail such books it would be a violation of the postal laws. Both of these offices did make arrangements to secure these books and the Pittsburgh office in doing so used an informant who cannot be used in the trial of the case. The letter to Pittsburgh specifically stated that this information was wanted for evidence and the letter to Boston was identical to that sent to Pittsburgh. Our Boston office intelligently handled the matter and obtained evidence which can be used in court. The Pittsburgh office obtained evidence but it cannot be used in court and is of no value. The United States Attorney at New York is insisting that the Pittsburgh informant's name be given and that he appear as a witness in the case and if the Pittsburgh office refuses to do so the United States Attorney at New York states he will make complaint direct to the Attorney General.

It is a most exasperating incident and our Pittsburgh office certainly should be called to strict account for having failed to intelligently carry out the instructions of the Bureau. As a matter of fact, now the entire case against Tresca may fall, which will bring down upon this Department considerable criticism and Tresca will become more blatant in his activities and statements than ever before.

It would appear that a very strong letter should be written to the Pittsburgh office upon this matter and if you approve, I will draft the same.

RECORDED & INDEXED

Respectfully,

J. E. J.

61-1335-160	
BUREAU OF INVESTIGATION	
NOV 22 1923 A. M.	
DEPARTMENT OF JUSTICE	
DIRECTOR	FILE

November 21, 1923.

WJB/LMR

61-1335-160

Mr. A. B. Spencer,
P.O. Box 987,
Pittsburgh, Pa.

Dear Sir:

Referring to your letter of the 12th instant and your telegram of the 14th relative to the evidence requested by this office for use in the case against Carlo Tresca, I want to state very emphatically that I consider that this matter has been handled in a manner that certainly does not reflect credit upon your office. The phraseology of the original request made of your office for this evidence is to my mind very clear and subject to but one construction. I am at a loss to understand how you ever came to any other conclusion but that the evidence was to be used in proceedings against Tresca. At the same time that the communication was directed to you, there was another communication directed to our Boston office, which intelligently handled the matter and carried out the instructions both in letter and in spirit.

This Bureau is seriously embarrassed by your action and is being subjected to adverse comment for the same. I cannot too strongly indicate to you my disapproval of the manner in which this was handled.

It is imperative that the person receiving these books be used as a witness in the proceedings in New York and for that reason you should submit the name of the person and where he may be reached in order that a subpoena may be issued.

Very truly yours,


Director.

RECORDED & INDEXED

NOV 21 1923

HN:JAM
61-874

November 10, 1923.

Mr. John A. Dowd,
P. O. Box 348,
Hartford, Conn.

Sir:

The Bureau is in receipt of information to the effect that CARLO GAMBESCA, the well known Italian anarchist, is to deliver a lecture at New Haven, on November 18th. The place of delivery of the lecture in question is unknown.

Please endeavor to cover this meeting and report.

Yours very truly,

J. Edgar Hoover
Director.

RECORDED & INDEXED

61-1335-161	
BUREAU OF INVESTIGATION	
NOV 17 1923 P. M.	
DEPARTMENT OF JUSTICE	
SEARCHED	FILE

RECEIVED

NOV 17 1923

Department of Justice,
Bureau of Investigation.
Pittsburgh, Pennsylvania.

November 16th, 1923.

Refer to Mr. Hoover.

Director Wm. J. Burns,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

NOV 17 1923
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
1335
HOOPER FILE

Dear Sir:-

Re: U.S. vs CARLO TRESCA, Violation
Sec. 211, U.S.C.C. - Forwarding
Obscene Literature through the
United States Mails.

With further reference to my letter of the 13th, addressed to you, to your wire of the 15th, and to my reply of the 16th, the reasons that I misconstrued your letter as to the informant being used as a witness are these:

1. Your letter stated that Tresca was being prosecuted in New York for violation of the Postal laws. I assumed that he had already been indicted and had no idea that a count in the indictment was to be based on action taken by this office.
2. When you spoke of using an Italian informant, if an Italian speaking agent was not available, this also led me to believe that the informant would not be necessary as a witness.
3. In the third paragraph, page two of the letter above mentioned, you instructed that the New York office be advised by telegraph at the time the money order for the publications was forwarded, so arrangements might be made, if possible, to ascertain the method employed by Tresca in forwarding these books. These latter instructions, coupled with the ones above mentioned, led me to believe

RECEIVED
NOV 17 1923
DIVISION

12
Director Burns,

-2-

11/16/23.

that the New York office was to proceed in their own way to secure this evidence on the basis of information furnished by this and other Bureau offices.

As stated in my letter of the 12th, I regret very much that I misconstrued your letter and did not obtain a witness who could be used, particularly in this case, as we have spent much time in this office trying to obtain evidence on which Tresca might be deported or prosecuted.

Yours very truly,



R. B. SPENCER,
Special Agent in Charge.

RBS:N

Department of Justice
Bureau of Investigation
15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

Nov. 17, 1923.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention Mr. J. E. Hoover
Re: U. S. vs. Carlo Fresco -
Violation Sec. 211, U. S. C. C.,
forwarding obscene literature
through the United States mails.

Dear Sir:

While the above entitled case is scheduled for trial in 1924, November the 19th, it is quite probable that it will not be brought for another week. This is due to the crowded condition of the court calendar.

Asst. U. S. Attorney Pittuck, assisted by Post Office Inspector Boone and Agent Golly, examined four postal employees yesterday afternoon as to their knowledge of the packages containing the obscene books being received in the United States mails.

Mr. Pittuck stated, that he will not make any arrangements at this time for the placing under subpoena of witnesses residing out of New York City.

Mr. Pittuck is still insistent that he be furnished with the name and address of the man used by the Pittsburgh office of Bureau to secure the books which were forwarded by Fresco to Washington, Pennsylvania. In the opinion of the Post Office Inspectors, this shipment is the most in extent of four made by Fresco within the past three months. Therefore, it is again requested that the Pittsburgh office be directed to furnish the information desired.

Very truly yours,

NOV 17 1923

DIVISION

Special Agent in Charge.

QJS:RM
11-18-23
Ct. Division
Pittsburgh

61-1335-763
BUREAU OF INVESTIGATION
NOV 19 1923 P. M.
DEPARTMENT OF JUSTICE
HOOVER FILE

DEC 4 - 1923

REPORT MADE AT: Pittsburgh, Pa.	DATE WHEN MADE: Nov. 13, 1923	PERIOD FOR WHICH MADE: Nov. 18, 1923	REPORT MADE BY: H. J. LENON.
TITLE AND CHARACTER OF CASE: U.S. vs CARLO TRESKA -			Violation Sec. 211, U.S.C.C. Forwarding Obscene Literature through U.S. Mails.
FACTS DEVELOPED: AT PITTSBURGH, PA.			11-1335 Office File No. 277-M.R.
<p>With reference to former reports made in the above entitled case.</p> <p>Agent wrote and mailed a letter to LIBRARY "IL MARTELLO", Box 92, Station D, New York City, on November 7th, 1923, requesting that certain books, mentioned in previous reports, be sent to the writer of the letter, which was signed [REDACTED] GENERAL DELIVERY, WILKINSBURG, PA. Having purchased a money order to cover cost, I enclosed it with the letter; money order was numbered 450087.</p> <p>On November 12th, 1923, I received a letter, addressed as above, which was written on the stationery of the "IL MARTELLO" Publication, and read:</p> <p>[REDACTED] General Delivery Window, Wilkinsburg, Pa.</p> <p>Dear Sir:-</p> <p>Enclosed please find your P.O. order for \$2.35. It is impossible for us to fill any orders of</p>			
<p>b7D</p>		<p>DO NOT WRITE IN THESE SPACES</p> <p>FILE NO. 67-1335-164 DEC 6 1923 BUREAU OF INVESTIGATION NOV 20 1923 DEPARTMENT OF JUSTICE</p> <p>ROUTED TO: HOOVER</p> <p>FILE 277</p> <p>RECORDED & INDEXED</p>	
REFERENCE: JEH-2	COPIES OF THIS REPORT FURNISHED TO: Bureau-3: New York-2: File-1.		

the books you requested, because their
mailability is at present questioned by
the U.S. Post Office Dep't.

Sincerely yours,"

(The signature I cannot make out)

The letter is dated by a stamp dater, and reads January
9th,1923, whether by accident or design is hard to determine. The
letter is attached to the New York copy of this report.

UNDEVELOPED LEAD

New York, N.Y.

Will the New York office please advise whether Agent should
forward the money order to their office, or secure a refund on it at
the Pittsburgh Post Office.

Closed at Pittsburgh, unless otherwise directed.

Department of Justice
Bureau of Investigation
15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

Nov. 20, 1923.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Re: U. S. vs. Carlo Tresca -
Violation sec. 211, U. S. C. C.
Forwarding Obscene Literature
Through the United States Mails.

Dear Sir:

I am advised that the above entitled case, which was scheduled for trial yesterday, has been postponed until Thursday, November 22d, but asst. U. S. Attorney Patrick states, that he is certain that same cannot take place before Monday, November 26th, and has issued subpoenas for various witnesses for that date.

Subpoenas have been issued for the presence of agent Charles W. Hoyt of the Boston office. Agent J. J. Lannon of the Pittsburgh office [redacted] who was used by agent Hoyt, and [redacted] other persons who had written for the obscene books.

Agent Scully informs me that yesterday, after the postponement of the trial, he met attorney Harold Gontant, representing Tresca, and that the former advised that his defense would be that Tresca had no part whatsoever in the mailing of the obscene books; and, furthermore, as soon as it was called to his, Tresca's, attention that his newspaper carried an add promoting the sale of these books, said add was immediately removed.

67D
SJS:WV
11-11-23

RECORDED & INDEXED
NOV 23 1923
SPECIAL AGENT IN CHARGE

67-1335-165
NOV 21 1923 A.M.
DEPARTMENT OF JUSTICE
HOOVER FILE

DEC 4 - 1923

Department of Justice

TELEGRAM RECEIVED

12

Pittsburgh, Penna.

November 16, 1923.

Burns.

Two stop Reference your telegram fifteenth Tresca case I mailed you letter twelfth explaining in detail that I misconstrued your letter twenty eighth and believed New York office was to secure evidence on basis information forwarded from here relative to shipment of books stop Informant this end in under cover capacity and unable supply his name for use as witness. Am mailing you letter today.

Spencer.

Received 12:25 p.m.

Decoded - WAS

To Director 12:35 p.m.

OK
mcs

RECORDED & INDEXED
NOV 22 1923
BUREAU OF INVESTIGATION
NOV 22 1923 A.M.
DEPARTMENT OF JUSTICE
HOOVER FILE

61-1335

Letter to
11/21/23

Nov. 21, 1923.

Mr. R. B. Spencer,
P. O. Box 987,
Pittsburgh, Pa.

Re: U. S. vs. Carlo Tresca - Violation Section 211, U. S. C. C., forwarding Obscene Literature through the United States Mails.

Dear Sir:

Referring to report of Agent H. J. Lenon, Nov. 18, 1923, (Pittsburgh file 277-MR) Asst. U. S. Attorney Mat-tuck suggests that the money order secured by Agent Lenon be brought by him to New York on Monday next as there is a possible chance that it may be introduced in evidence.

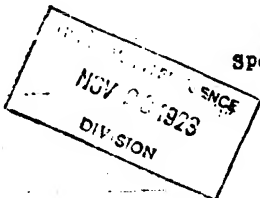
It is to be presumed that the subpoena issued for Agent Lenon has reached him by this time and that he will be here on Monday, November 26th.

It is to be noted that up to this writing this office has not received the name of the informant who wrote for and received the books mentioned by Agent Lenon in a previous report. It is again requested that this name be furnished at the earliest practicable time in order that this informant may be placed under subpoena.

Yours very truly,

EDWARD J. BRENNAN,
Special Agent in Charge.

CJS:FJK
R-115-E
St Wash.



61-335-167
BUREAU OF INVESTIGATION
NOV 22 1923 A.M.
DEPARTMENT OF JUSTICE
HOOVER FILE

RECORDED & INDEXED

61 1335

Nov. 20, 1923.

Mr. Lawrence Letherman,
P. O. Box 3185,
Boston, Mass.

Re: U. S. vs. Carlo Tresca -
Violation Sec. 211, U. S. C. C.,
Forwarding Obscene Literature
Through the United States Mails.

Dear Sir:

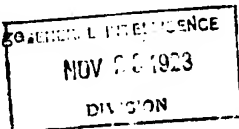
This is to advise that Asst. U. S. Attorney
Mattuck for the Southern District of New York, has issued
subpoenas calling for the appearance in this city on Nov.
26th of Agent Hoyt and informant [REDACTED]

The case is scheduled to go to trial at 2:00
p.m. on the aforementioned date and the subpoenas are being
forwarded directly to the Marshal in your district.

Yours very truly,

b7D

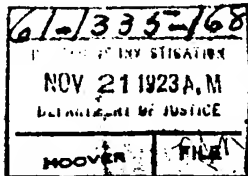
EDWARD J. BRENNAN,
Special Agent in Charge



CJS:P.M.
R-115-E
Ct Wash.

RECORDED & INDEXED

DEC 4 - 1923



Department of Justice,

Bureau of Investigation.

Pittsburgh, Pennsylvania.

NOV 23 1923

DIVISION

DEC 22 1923

November 22nd, 1923.

RECORDED & INDEXED

Refer to Mr. Burns.

Director Wm. J. Burns,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 21st, criticising me very severely for the way I have handled the obtaining of information in the Carlo Tresca case, and stating that it is imperative that the person receiving these books be used as a witness in the proceedings in New York, and that I should submit the name of the person and where he may be reached in order that a subpoena may be issued.

Mr. Burns, I am more embarrassed than you are that any reflection should come on the Bureau through any act of mind. Once in a while, as you know from your long experience, a man has a bad break, and this seems to be one of them in that I misconstrued your original letter of instructions in this matter.

I have taken the case up with the man who is responsible for and handles this informant, and asked him if there was any possible way in which this informant might be used. He stated that, while he was only too anxious to help the Department, he could not, as a matter of honor, disclose the name of this informant. I do not know personally the name of the informant or his present address.

There are times when a man must stand responsible for his actions, and if you still feel inclined to censure me after this letter and my

61-1335-169

Director Burns,

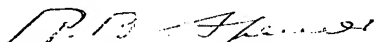
-2-

11/22/23.

previous letters of explanation, I must accept the responsibility.

Hoping that the trial of Carlo Tresca may be successful, and that a situation of this kind will not arise again, I am

Yours very truly,



R. B. SPENCER,
Special Agent in Charge.

RBS:N

NR:G
61-1335-169

DEC 22 1923

November 21, 1923.

Mr. E. J. Brennan,
P. O. Box 241,
City Hall Station,
New York City.

Dear Sir:-

I am transmitting herewith copy of a letter forwarded today to Agent-in-Charge R. B. Spencer of the Pittsburgh, Pennsylvania, office of the Bureau. I understand, of course, that you will do everything possible to mitigate or prevent any possible damage that would ensue from requiring this man to testify in open court. The situation is unfortunate and possibly Assistant U. S. Attorney Attuck has decided that he will be able to successfully prosecute Brasca without using this witness.

Very truly yours,

Director.

Encl. 517.

61-1335-169
RECORDED & INDEXED

THIS CASE ORIGINATED AT Hartford, Conn.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: <u>Hartford, Conn.</u>	DATE WHEN MADE: <u>11/22/23</u>	PERIOD FOR WHICH MADE: <u>11/18-20/23</u>	REPORT MADE BY: <u>JOHN A. DOWD</u>
TITLE AND CHARACTER OF CASE <u>RE: CARLO TRESCA</u>		ANARCHIST ACTIVITIES (ITALIAN)	
FACTS DEVELOPED: <u>AT HARTFORD &</u> <u>NEW HAVEN:</u>			
<p>1.-Reference letter of DIRECTOR, initialed HN-GA., (61-874) dated November 16th, 1923.</p> <p>Above cited letter of DIRECTOR, informed that CARLO TRESCA a well known Italian Anarchist, was scheduled to deliver a lecture at New Haven, Conn., on November 18th, 1923. The place of delivery of the lecture in question was not known.</p> <p>Above cited letter of DIRECTOR was received at Hartford, Ct., Office, on Sunday, November 18th, 1923, at which time it was too late for Agent to proceed to New Haven and cover this meeting. Agent immediately communicated with the police at New Haven and was informed that CARLO TRESCA was scheduled to address a meeting in TRADE'S COUNCIL HALL, Meadow Street, New Haven on the afternoon of November 18th, 1923. Agent requested that the Italian members of the Detective Bureau, New Haven, Department of Police, cover this meeting and this co-operation was promised.</p> <p>On November 20th, 1923, Agent conferred with CAPTAIN DONNELLY, who informed that Detectives Popolizio and GILANIO, covered this meeting and</p>			
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO:		
<u>MR. HOOVER</u>	<u>3-Washington, 1-Hartford, 1-N.Y.</u>		

DO NOT WRITE IN THESE SPACES

61-1335-170

NOV 23 1923

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

ROUTED TO: HOOVER

FILE

RECORDED & INDEXED

NOV 23 1923

DIVISION

DEC 1 - 1923

JAD-MMCK

1-1108

RE: CARLO TRESCA

ANARCHIST ACT. (ITALIAN)

from the latter, Agent learned that about 140 persons were in attendance. During the course of the meeting copies of "ALBA NUOVA" printed in Italian and published at Chicago, Ill., were distributed. This is the organ of the WORKERS PARTY OF AMERICA, Italian Branch, and is published in Chicago, Ill. Circulars were also distributed announcing a meeting to be held in the same hall on November 22nd, 1923.

Detective GILANIO, stated that CARLO TRESCA during the course of his remarks devoted himself to tracing the history of the Italian Government, pointing out to his hearers that in every stage of its development it was filled with trickery, one faction tricking the other and that PREMIER MUSSOLINI, the present dictator, was pursuing the same course of trickery. That prior to his rise to power he was a strong socialist, and since attaining power he has curbed and prohibited practices which he formerly sought for himself and his constituents.

There was nothing in the remarks of CARLO TRESCA which could be considered objectionable. Another speaker name unknown to DETECTIVE GILANIO, who from description furnished Agent was believed to be LUIGI QUINTILLIANO, devoted himself to a criticism of MUSSOLINI, and spoke in favor of the anarchist paper "ANARCHO" - published in Rome by a well known Anarchist. A collection was taken up for this publication and about Fifty-seven (\$57.00) was realized.

CASE CONCLUDED

JEH/LMR

November 23, 1935.

Mr. E. J. Brennan,
P.O. Box 241, City Hall Station,
New York, N.Y.

Dear Sir:

I am transmitting to you herewith a copy of a communication which I have just received from our Pittsburgh office relative to the unfortunate developments occasioned by the unintelligent manner in which the Pittsburgh office handled the request for evidence to be used in the Carlo Tresca case.

I would appreciate it if you would take this matter up with Assistant United States Attorney Mattuck and explain very fully to him the situation and the embarrassing situation in which the Bureau is placed. I have very strongly condemned to Mr. G. L. [unclear], the Agent in Charge at Pittsburgh, the manner in which he directed this investigation and I can fully appreciate the position in which it has placed Mr. Mattuck. It is most unfortunate and, of course, does not reflect credit upon the Bureau. I don't believe, however, that it will ever happen again, at least not at Pittsburgh.

Will you kindly look into this situation at once and advise me what can be done so as not to imperil the successful prosecution of the Tresca case.

Very truly yours,

Director.

Incl. 23430.

RECORDED & INDEXED

61-7335-171
BUREAU OF INVESTIGATION
NOV 24 1935 A.M.
DEPARTMENT OF JUSTICE
FILE

MAILED
NOV 23 1935

Department of Justice
Bureau of Investigation
15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

1335

Nov. 24, 1923.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention Mr. J. E. Hoover
Re: M. S. vs. Carlo Tresca -
violation Sec. 211, U. S. C.,
Forwarding Obscene Literature
Through the United States Mails.

Dear Sir:

Receipt is acknowledged of your letter dated
November 23, 1923, and initialed JPH, to which was attached
enclosure No. 23460.

As requested, Agent Scully conferred with
Asst. U. S. Attorney Mattuck today and explained to him as
to the situation in Pittsburgh concerning the informant.
Mr. Mattuck stated that, it is quite probable that due to
the handling of the investigation in that city, it will be
necessary to dismiss one of the counts in the indictment.

Mr. Mattuck further advised that, in his
opinion, the shipment and receipt of the books at Pittsburgh
was probably the strongest count in said indictment, but
that he will do everything possible to try to retain this
count although the chances are against him. Mr. Mattuck is
not certain at this time whether he will use Agent Tenon as
a witness, but, nevertheless, requests that he obey the sub-
poena sent to Pittsburgh so that he may be present if his
testimony is desired.

Mr. Mattuck also expressed the opinion, that
in spite of the failure to produce the informant by the
Pittsburgh office, he will be successful in convicting Tresca
whose trial will, no doubt, start at 2:00 p.m. on Monday,
November 26th.

Yours very truly,

RECORDED & INDEXED

GIT:MM
R-115-7

W. J. P. NEWMAN,
Special Agent in Charge.

DEC 4 - 1923

61-1335-172	
BUREAU OF INVESTIGATION	
NOV 26 1923 A. M.	
U. S. DEPARTMENT OF JUSTICE	
HOOPER	FILE

HM:JWM
61-0

November 26, 1923.

RECORDED & INDEXED

Mr. William Phillips,
Under Secretary of State,
Washington, D.C.

61-1333-178	
NOV 27 1923 A.M.	
RECEIVED	
	FILE

Dear Sir:

61 1333

Your letter of November 12th, addressed to the Attorney General has been referred to me, with attached dispatch from the Charge d'Affaires, at Rome, dated October 12, with a list of names of certain alleged radicals concerning whom the Director General of Public Safety at Rome desires information.

The only data in the Bureau files concerning individuals on said attached list refers to Carlo Tresca, I. Anderson and P. Bologna.

Carlo Tresca is a director of the Anarchist publication "Il Martello" located in New York City, and is an Italian anarchist whose activities have been of interest to the Bureau for some time. He is now being prosecuted by the Federal Authorities at New York, for sending obscene literature through the mails, and his case is expected to be reached in the very near future.

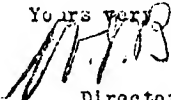
I. Anderson, or I. J. Anderson of 15 Canoeville Street, Boston, Mass. is last referred to in the Bureau's files under date of July 11, 1923, at which time he was reported to be the recipient of copies of "Freedom", a publication of the "Freedom Press" of London, England, an anarchistic organization. It has been thought that Anderson was possibly an alias for one Frank R. Lopez, well known Spanish Anarchist. A previous report refers to one I. J. Anderson of the same address as being a prospective editor of a periodical to be called "Anarchy". No other information has been received along these lines.

61-1333-173

Paolo Bologna of Mount Vernon, New York, was last reported upon in April 1922, at which time a communication signed by an individual of this name appeared in "Il Proletario", the official organ of the Industrial Workers of the World, and of the Italian Syndicalist Federation. The letter in question requested funds for "Umanita Nova". Nothing further has been heard of this individual since that time.

An effort is being made to locate the individuals covered by the additional names on the list of the General Director of Public Safety, and as soon as further information has been received it will be promptly transmitted to you.

Yours very truly,



Director.

ALL

7/27/1922

Department of Justice

Bureau of Investigation

15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

61-1335
Nov. 28, 1923.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention Mr. J. E. Hoover
Re: W. S. vs. Carlo Tresca -
Violation Sec. 211, U. S. C. C.,
Forwarding Obscene Literature
through the United States Mails

Dear Sir:

Confirming my telegram of last evening, Carlo Tresca was found guilty at 7:30 p.m., Tuesday, November 27th, on count number eight in the indictment, the substance of which was the carrying of the advertisement of the obscene publication in the columns of the "Jl Martello."

Of the other seven counts 1st. U. S. Attorney Mattuck requested the dismissal of numbers three and six which referred to the forwarding of the books to Washington, Pa., and which charges the prosecution was unable to substantiate due to the fact that we were unable to produce the witness who had secured same.

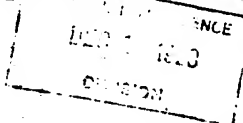
On the remaining counts we are confidentially advised that the jurors on each ballot were divided, eleven for conviction and one for acquittal, and that the verdict reached on count eight was a sort of a compromise.

The trial of Carlo Tresca started at 2:30 p.m., Monday, November 26th, and in addition to the testimony of the Post Office employees and two others, Mulvio and Trevison, persons who had written for the obscene books, Special Agent Hoyt of the Boston office related as to the forwarding of the decor letter.

Yesterday, Special Employee Sposa, and special Agent Penon of the Pittsburgh office testified, after which the prosecution rested. Carlo Tresca took the stand in his own behalf and was followed by one or two other employees of his publication and finally Umberto Nieri, Tresca's partner, testified and under oath stated that he assumed full responsibility for the mailing of the books and that he, not Tresca, directed the Library del Martello.

It is quite probable that 1st. U. S. Attorney Mattuck will ask for an indictment to be returned against Nieri, charging him with a violation of the same statute under

61-1335-174

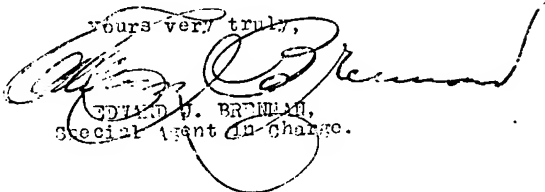


61-1335-174

which Tresca was convicted and it will be suggested to Mr. Matlack that an additional charge of conspiracy be made against both.

It is to be noted that Tresca, during cross examination, stated that although he is in the United States twenty years he is not a citizen.

Yours very truly,



EDWARD P. BRENNAN,
Special Agent in Charge.

CJB:RVT
R-118-1

Instructions: Edward Brennan, Spl. Agt. Charge, File R 115 E ²¹⁰

THIS CASE ORIGINATED AT **New York City** JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: New York City	DATE WHEN MADE: 11-28-23	PERIOD FOR WHICH MADE: 11-27-28	REPORT MADE BY: James W. Dillon
---	------------------------------------	---	---

TITLE AND CHARACTER OF CASE:

**U. S. VS. CARLO TRESCA. Violation Section 211, U. S. C. C.
Sending Obscene Literature through Mails.**

FACTS DEVELOPED:

November 27th. As per instructions, I was engaged during the entire day in the U. S. District Court, at the trial of the above named defendant. The case went to the jury at about 4.30 P.M. and was thereafter engaged with Agent Leslie in mingling with the various people in the vicinity of the court room corridor, for the purpose of noting the various Anarchists known to be in attendance at the said trial.

November 28th. Today proceeded to the U. S. Court, where Carlo Tresca was to be sentenced, but it was learned he would not be sentenced until December 4th, 4.15 P.M. in Judge Goddard's Chambers.

RECORDED & INDEXED
RECORDED & INDEXED
DEC 11 1923

FILE NO. 61-1335-175
BUREAU OF INVESTIGATION NOV 30 1923 DEPARTMENT OF JUSTICE
ROUTED TO: HOOVER

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

Washington -3- New York -2-

JWD

1-118

RECEIVED AT
EVANS BUILDING
1418 NEW YORK AVENUE
WASHINGTON, D. C.
TELEPHONE: MAIN 8600

TELEGRAM

DELIVERY NO.

is a fast Telegram unless otherwise indicated by signal after the number of words:—"Blue" (Day Letter) "N.L." (Night Letter) or "Nite" (Night Telegram) 16-85586
STANDARD TIME INDICATED ON THIS MESSAGE.

479NYD 7 COLLECT GVT 11 911P

NY NEWYORK NOV 27 23

BURNS

JUSTICE WASH DC

TWO STOP CARLO TRESKA FOUND GUILTY

BRENNAN

*OK
Nite*

*1335- Over
12*

Rec'd 9:45 PM

RECORDED & INDEXED

DEC 1 1923

0.0.10

61-1335-176

FEDERAL BUREAU OF INVESTIGATION	
NOV 28 1923 P. M.	
U. S. DEPT. OF JUSTICE	
RECORDED	FILED

pjr

NOV 28 1923
DIVISION

Department of Justice,

Bureau of Investigation.

Pittsburgh, Pennsylvania.

DEC 7 1923

November 21st, 1923.

Refer to Mr. Hoover.

Director Wm. J. Burns,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

RECORDED & INDEXED

67-335-177
DEC 1 1923 A.M.
DEPARTMENT OF JUSTICE
NOV 21 1923

Dear Sir:-

Re: U.S. vs CARLO TRESKA, Violation
Sec. 211, U.S.C. - Forwarding
Obscene Literature through the
United States Mails.

In connection with the above entitled matter,
Special Agent Lenon is under subpoena to appear at
New York on the 26th instant, at 10:15 A.M.

As it appears from the reports of the New
York office that Assistant United States Attorney
Mattuck will insist on the disclosure of the name of
the informant who sent for certain books, later for-
warded by us to the New York office, I would be glad
to have specific instructions from you in line
with SAC Letter No. 226, dated February 23rd, 1923,
initialed JEH.

Will you, therefore, give me the necessary
instructions, which will fully protect Agent Lenon
if he should be pressed either by the attorney for
the defense or by Assistant United States Attorney
Mattuck for the name of this informant?

It is needless to say that I hope a situ-
ation of this kind will not arise again, but if the
name of this particular informant was exposed, I
believe that I would get no more information from
sources in the Pittsburgh district, which have been,
as you well know, of the greatest value to the De-
partment in the past.

Yours very truly,

R. B. SPENCER,
Special Agent in Charge.

RBS:N

Instructions from Agent in Charge, Brennan.

(N. Y. File No. 61-115-3)

THIS CASE ORIGINATED AT

New York, N. Y.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

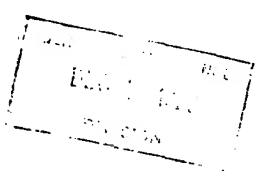
REPORT MADE AT: New York City	DATE WHEN MADE: 11/29/23	PERIOD FOR WHICH MADE: 11/26-27/23	REPORT MADE BY: Joseph J. Goss						
TITLE AND CHARACTER OF CASE: IN RE: U. S. VS. CARLO TRISSA, VIOLATION SECTION 211, U. S. C., FOR TAKING OBSCENE LITERATURE OUT OF THE STORES OF HIS PATRONS.									
FACTS DEVELOPED: At New York: 61-1335									
<p>Referring to the above matter last reported upon by writer on October 19, 1923, for the above mentioned period I was engaged on the above case, testifying as a witness, subject being convicted on one count, number eight, for the advertising of obscene literature in the "Il Martello" issue of June 9, 1923.</p> <p>Judge Coddard set November 26th, 10:30 a.m., for sentence.</p> <p>Continued.</p>									
<p style="text-align: right;">61-1335-178 DEC 7 1923 DO NOT WRITE IN THESE SPACES</p>									
<p style="text-align: center;">RECORDED & INDEXED</p>									
<table border="1"> <tr> <td>FILE NO. 61-1335-178</td> <td rowspan="3"></td> </tr> <tr> <td>BUREAU OF INVESTIGATION NOV 30 1923</td> </tr> <tr> <td>DEPARTMENT OF JUSTICE</td> </tr> <tr> <td>ROUTED TO COVER</td> <td>FILE</td> </tr> </table>				FILE NO. 61-1335-178		BUREAU OF INVESTIGATION NOV 30 1923	DEPARTMENT OF JUSTICE	ROUTED TO COVER	FILE
FILE NO. 61-1335-178									
BUREAU OF INVESTIGATION NOV 30 1923									
DEPARTMENT OF JUSTICE									
ROUTED TO COVER	FILE								
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: Washington (2) New York (1) J. J. Goss								

Instructions from Agent in Charge Brennan. (P.W. file No. 2-115-3)

THIS CASE ORIGINATED AT

New York, N. Y.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: New York City	DATE WHEN MADE: 11/20/23	PERIOD FOR WHICH MADE: 11/26-27/23	REPORT MADE BY: J. J. H. Palmer. ✓
TITLE AND CHARACTER OF CASE: JAMES H. S. W. CARLO TRUSSA - VIOLATION § 211, N. Y. C. C. OR- WARDING OBSCENE LITERATURE THROUGH MAIL.			
FACTS DEVELOPED: At New York;			
<p>During the above period I was employed as Asst. N. Y. Attorney Mattuck as the official interpreter in the trial of subject and also testified as the translator of the obscene literature sent through the mail by subject.</p> <p>I respectfully refer to letter of even date sent the Bureau on the above matter, for further particulars.</p>			
			
DO NOT WRITE IN THESE SPACES			
FILE NO. 67-1335-179 BUREAU OF INVESTIGATION DEC 1-1923 DEPARTMENT OF JUSTICE		DEC 18 1923	
ROUTED TO:		FILE	
REFERENCE:		COPIES OF THIS REPORT FURNISHED TO: Washington (2) New York (1) WHP: JAL	

Instructions from
THIS CASE ORIGINATED AT

Special Agent in Charge.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Pittsburgh, Pa.	DATE WHEN MADE: Nov. 30, 1923	PERIOD FOR WHICH MADE: Nov. 28, 1923	REPORT MADE BY: H. J. LEMON.
TITLE AND CHARACTER OF CASE: U.S. vs CARLO PRASCA -			Violation Sec. 211, U.S.C.C. Forwarding obscene literature through U.S. mails.
FACTS DEVELOPED: AT NEW YORK, N.Y. 1335 Office File No. 277-M.R. With reference to former reports made in the above entitled case. Agent received a writ of subpoena to appear in the United States Court in New York City, to testify in this case on November 26th, 1923. Upon my arrival in New York City, I reported to Agent Scully, registered as per instructions, and then accompanied Agent Scully to the office of Assistant United States Attorney Matlack, where a conference was held with postal authorities and prospective witnesses. During the balance of the day, November 26th, and throughout the following day, November 27th, I was in Court during the trial. Agent testified in rebuttal on the afternoon of the second day, November 27th. Particulars of the case will be reported, in full, by Agent Scully of the New York office. CLOSED at Pittsburgh, Pa.			
REFERENCE: JEM-2	COPIES OF THIS REPORT FURNISHED TO: Bureau-3: New York-2: File-1.		

62-1335-180 DEC 11 1923
BUREAU OF INVESTIGATION
DEC 11 1923
DEPARTMENT OF JUSTICE
ROUTED TO: FILE DIVISION

HJD-MCK

Post Office Department
OFFICE OF THE SOLICITOR
Washington

December 1, 1923.

Hon. W. J. Burns,
Director, Bureau of Investigation,
Department of Justice,
Washington, D. C.

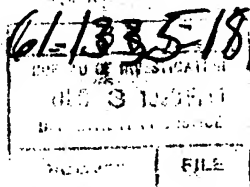
Dear Mr. Burns:

I have your letter of the 28th ultimo, in connection
with the Carlo Tresca case and thank you for the information.

The matter will have appropriate attention.

Very truly yours,

H. G. Donnell
Acting Solicitor.



Instructions rec'd Spec. Agt. in Chg. Lethbrun.

THIS CASE ORIGINATED AT Bureau

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Boston, Mass.	11/30/23	11/23-28/23	Charles M. Hoyt.

TITLE AND CHARACTER OF CASE:
U. S. vs. CARLO TRESCA : Violation Sec. 211, U.S. C. C.
: Forwarding Obscene Literature
: Through the United States Mails.

FACTS DEVELOPED:

New York, N. Y.

Boston Case #101/508

1335

Reference is made to Bureau letter dated November 20, 1923, initialed CJS:FJH-R-115-E-Ct.-Wash.

Agent on subpoena from William Hayward, United States Attorney for the Southern District of New York proceeded to New York on November 25, 1923, accompanied by [REDACTED], who translated letter which was sent by Agent to subject.

Agent testified in the above case giving evidence as to obtaining and forwarding of letter and money order for books as advertised in Tresca's paper "Il Mertello", these books being those of which subject was charged with sending through the mails.

Copy of letter and paper previously forwarded and marked as exhibits.

The Jury found subject guilty before Judge Goddard in the Federal Court, Southern District of New York. [REDACTED] informant was not put on as a witness as evidence given by Agent was deemed sufficient

DEC 12 1923

67-1335-187

BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

ROUTED TO: FILE

ENCLOSURE
DEC 11 1923
DIVISION

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

Washington 3; Boston 2; New York 1

Start
CLH:G

CMH:G

-2-

11/30/23

by Attorney Mattuck who conducted the case for the Government.

Closed.

APPROVED

W.B.SNOW

W.B. Snow

CMH:G

TELEPHONE, BARCLAY 8160
POST OFFICE BOX 241
CITY HALL STATION

15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

JEC. 4, 1995.

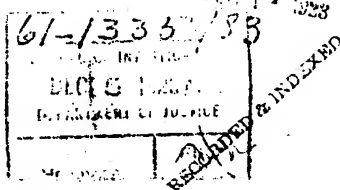
Attention Mr. J. E. Hoover
Re: W. F. W. B. B. B. B. B.
Violation S. C. P. L., N. C.
C. T., forwarding obscene
literature through the
United States mails

Agent Scully informs me that Mr. Pittuck, Asst. U. S. Attorney, stated, that due to a request made by Congressman Florio Maguardia, Carlo Tresca's sentence will be deferred from today until 11:00 a.m., Saturday, Dec. 8th.

very very truly

Special Agent in Charge.

CJ: PJ
3-115-3



OFFICE OF DIRECTOR
BUREAU OF INVESTIGATION

LH/LHR



November 23, 1935.

MEMORANDUM FOR MR. BURNS.

I am attaching hereto a copy of a letter received from our Pittsburgh office and a copy of a letter which I addressed to Mr. Brennan concerning this Tresca matter.

It is too unfortunate for words that our Pittsburgh office should have handled the situation in this way. As the informant is not known to our Pittsburgh office and is employed by some private individual, I suppose that it would be impossible to ascertain his identity. Maybe Mr. Brennan can solve the difficulty by taking the matter up with the Assistant United States Attorney at New York.

Respectfully,

RECORDED & INDEXED

61-1335

61-1335-14 DEC 1 1935

DIRECTOR

COPY FOR TICKLER. DATE _____

BUREAU OF INVESTIGATION,
DEPARTMENT OF JUSTICE.

November 23, 1935.

JHH/LGR

Mr. E. J. Brennan,
P.O. Box 241, City Hall Station,
New York, N.Y.

Dear Sir:

I am transmitting to you herewith a copy of a communication which I have just received from our Pittsburgh office relative to the unfortunate developments occasioned by the unintelligent manner in which the Pittsburgh office handled the request for evidence to be used in the Carlo Tresca case.

I would appreciate it if you would take this matter up with Assistant United States Attorney Nathan and explain very fully to him the situation and the embarrassing situation in which the Bureau is placed. I have very strongly condemned to Mr. Spenser, the Agent in Charge at Pittsburgh, the manner in which he directed this investigation and I am fully appreciate the position in which it has placed Mr. Nathan. It is most unfortunate and, of course, does not reflect credit upon the Bureau. I don't believe, however, that it will ever happen again, at least not at Pittsburgh.

Will you kindly look into this situation at once and advise me what can be done so as not to imperil the successful prosecution of the Tresca case.

Very truly yours,

Director.

Encl. 23430.

-184-
Enclosure



HM:GA

Department of Justice

Bureau of Investigation

Washington, D. C.

RECORDED & INDEXED

61-1335-185

BUREAU OF INVESTIGATION	
OCT 7 1923 P.M.	
DEPARTMENT OF JUSTICE	
HOOVER	FILE

November 21, 1923.

MEMORANDUM FOR MR. HOOVER

Attached hereto please find a further letter from Pittsburgh relative to the Tresca matter. Spencer's three reasons for the action taken by him appear to be extremely weak. His first reason to the effect that inasmuch as the Bureau's letter stated Tresca was being prosecuted in New York, that he assumed he had already been indicted, does not appear to be based on common sense, or the facts in this case. Prosecution does not always, or usually, commence with indictment; as a matter of fact Tresca had been taken into custody and hearings had been held before the Commissioner.

It should be further noted that the Bureau letter of instructions to Spencer and Letherman distinctly stated that, "in order to secure further evidence to be used against Tresca at the trial that an attempt be made by offices outside of the State of New York to secure certain pamphlets or booklets, etc". This would seem to preclude any misunderstanding.

In the second reason he again repeats the statement that the Bureau's reference to an Italian informant is a partial excuse for his action. The Bureau's letter stated, "It will be necessary that this attempt be made by an Italian speaking agent or by an agent who could command the service of some reliable Italian informant". This would ordinarily seem to imply that the agent or any other person who secured the books would be required to testify at the trial. The only reason why the words, "reliable Italian informant", were inserted was that in the event that an agent could not speak or write Italian it would be necessary, of course, for him to secure some Italian person who could prepare a letter ordering the pamphlets and booklets for him.

His third reason to the effect that he had been instructed to advise the New York office by telegraph at the time the money order for the publications was forwarded, and that he judged from this instruction that the New York office was to proceed in their own way, apparently needs no comment. It appears to indicate more imagination than judgment. I believe that if instead of forwarding reasons of this nature he would

61-1335-185

11/21/33

simply admit his error, he could place himself in a far better light.

As I previously informed you, the Boston office, who received exactly the same letter as was sent to Pittsburgh, acted properly thereon, and both the agent and Italian informant who co-operated there are available for appearance in New York at the trial.

Respectfully,

ment of Ju

TELEGRAM RECEIVED

7-1043

New York, N.Y.

December 8, 1923.

Burns.

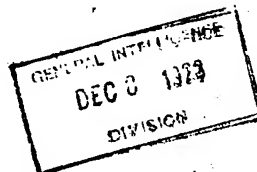
Attention two Carlos Trescar sentenced to term one year
one day bail continued until Monday, will appeal.

Brenna.

Received 2:10 p.m.

Decoded - WAS

To Director - 2:25 p.m.



61-1335-186

61-1335-186	
BUREAU OF INVESTIGATION	
DEC 11 1923 A.M.	
DEPARTMENT OF JUSTICE	
RECEIVED	FILE

DEC 13 1923

Carlos Trescar

61-1335

Department of Justice

Bureau of Investigation

15 PARK ROW, 14TH FLOOR

NEW YORK, N. Y.

Dec. 8, 1923.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention Mr. J. E. Hoover
Re: G. S. 78. Carlo Tresca -
Violation Sec. 211, U. S. C.,
Forwarding Obscene Literature
Through the United States Mails.

Dear Sir:

Confirming my telegram of even date, Carlo Tresca was sentenced to a term of imprisonment of one year and one day by U. S. District Judge Goddard in the latter's chambers tower, located in the Woolworth Building.

11-1320
U. S. Attorney Pittuck went into detail concerning Tresca's career and exhibited to Judge Goddard translations made of various articles appearing in the columns of "The Intelligence." The defendant's attorney, Content, asked that Tresca be given a fine. Attorney George Gordon Battle and Congressman Pierello Tanguarida also pleaded for the defendant, stating that they had known him for a number of years and had never heard of his advocating violence. After a considerable discussion on both sides, Judge Goddard asked Tresca if he was married and when Tresca's answering in the affirmative, Judge Goddard asked him who was his wife, whereupon Tresca designated Elizabeth Taylor Allyn who was present. But, after further questioning, he admitted that he had been living with her for a period covering about twelve years as a common law wife and that his legal wife and he had separated, but that he was contributing money toward the support of their child. Just prior to the passing of sentence, Tresca made an appeal for leniency, whereupon Mr. Pittuck stated that he agreed with Tresca provided that, after serving full sentence, he would voluntarily leave the United States. Tresca thereupon stated, that for him to return to Italy would mean that he would be killed.

After Tresca was sentenced Attorney Content gave notice that he would appeal and Tresca was admitted to bail until Monday next at which time the appeal will be filed and it is the intention of Mr. Pittuck to ask a bond after this procedure has been carried out.

CCB:AT
1-115-2

66-1335-187
RECEIVED
DEC 10 1923 A.M.
BUREAU OF INVESTIGATION
U. S. DEPT. OF JUSTICE
MAIL ROOM
FILE

Very truly,
Special Agent in Charge.

DEC 22 1923

Department of Justice
Bureau of Investigation
15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

1069

Dec. 11, 1923.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention Mr. J. J. Hoover
~~Mr. J. J. Hoover~~ Carlo Fresco -
violation Sec. 211, U. S. C. C.,
Forwarding Obscene Matter
Through the United States Mails.
(Umberto Nieri)

Dear Sir:

Carlo Fresco was surrendered to the U. S. Marshal yesterday morning by his bondsman and after a wait of practically an entire day he was released under a new bond, this time in the sum of five thousand dollars, pending his appeal.

The case of Umberto Nieri, who testified in Fresco's behalf during the trial several weeks ago and who assumed responsibility for the placing of the obscene books in the U. S. mails, was taken before the Grand Jury early today and an indictment secured charging him with a violation of Section 211, U. S. C. C. The only witness called before the Grand Jury was Post Office Inspector Neen. A warrant will be issued for the arrest of this individual within a short time and Asst. U. S. Attorney Mattuck states he will move for a speedy trial.

Yours very truly,

Special Agent in Charge.

DEC 11 1923

67-1335-188
BUREAU OF INVESTIGATION
DEC 12 1923 A.M.
DEPARTMENT OF JUSTICE
HOOVER - FILE

DEC 22 1923

DEC 22 1923
ON FILE

Department of Justice
Bureau of Investigation
15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

61 1335
Dec. 14, 1934.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Re: U. S. Vs. Carlo Presca, Vi-
olation Section 211, U. S. C. C.,
"Caricature Obscene Literature
through the United States Mails."

Dear Sir:

Concerning the possibilities of instituting de-
portation proceedings against Carlo Presca, I am informed,
according to the Immigration rules, Presca cannot be deported
as a result of his recent conviction. I am quoting below
from rule 22 of the Immigration Regulations, sub-division one,
paragraphs (1) and (3):

(1) An alien who may be sentenced to imprison-
ment for a term of one year or more because of con-
viction in this country of a crime involving moral
turpitude, unless such alien has been pardoned or
the court or judge sentencing him has recommended
to the department, at the time of imposition sentence
or within thirty days thereafter, that he be not
deported; limitation--that the crime shall have been
committed within five years after entry; retrospec-
tive with respect to time of entry, but not retro-
spective with respect to conviction; deportation
shall not occur until termination of imprisonment.

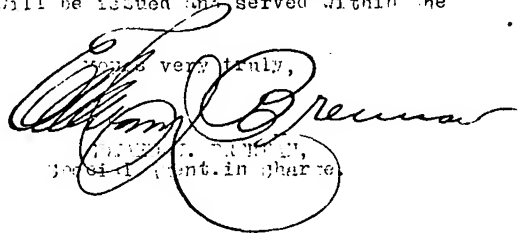
(3) An alien who may be sentenced more than once
to imprisonment for a term of one year or more be-
cause of conviction in this country of a crime in-
volving moral turpitude, unless such alien has been
pardoned or the court or judge sentencing him has
recommended to the department, at the time of im-
position sentence or within 30 days thereafter, that
he be not deported; no limitation; retrospective
with respect to time of entry, but not retrospec-
tive with respect to conviction; deportation shall
not be effected until termination of imprisonment.

Our records fail to show any information whatso-
ever that would tend to prove that Presca has, prior to his
present conviction, been sentenced to a term of imprisonment
of more than one year. Therefore, I do not believe that any
action can be taken against this individual along the proposed

61-1335-189

lines and this belief is concurred in by several of the Immigration inspectors with whom the matter has been discussed.

James advised that Fresco is now busily engaged in soliciting funds to finance his appeal. As to the present the warrant of arrest has not been issued for Umberto Neri who has recently been indicted for violating section 211, U. S. C. A., Int. R. T. J. McNamee Harbuck states, that it is quite certain that a warrant will be issued and served within the next few days.

Yours very truly,

William J. Brennan,
Special Agent in Charge.

WJB:JF
-112-

Instructions from Agent in Charge Brennan.

(N. Y. File No. R-115-E)

THIS CASE ORIGINATED AT

New York, N. Y.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: New York City	DATE WHEN MADE: 12/22/23	PERIOD FOR WHICH MADE: 12/22/23	REPORT MADE BY: W. R. Palmera
----------------------------------	-----------------------------	------------------------------------	----------------------------------

TITLE AND CHARACTER OF CASE:

IN RE: U. S. VS. CARLO TRESKA - VIOLATION SECTION 211, U. S. C. C., FORWARDING OBSCENE MATTER THROUGH THE UNITED STATES MAILS.

FACTS DEVELOPED: At New York;

Special Agent Dominick Di Rocco turned over to me for translation some literature sent to him by Carlo Tresca through the mail. The literature consists of one raffle book containing twenty consecutively numbered tickets running from No. 117271 to 117290. On the tickets the following is printed:

ANNUAL VOLUNTARY CONTRIBUTION ON BEHALF OF MARTELLO FOR THE YEAR 1924.

1st prize - \$100 in gold
2d " \$25 " "
3d " \$25 " "
4th " \$20 worth of books from our library
5th " \$10 " " " " " "

The drawing for the prizes will positively take place on January 19, 1924. Those who answer our appeal will punctually get the prize they are entitled to as they did last year. price - 25 cts.

It also contains a leaflet stating:

"Latest Hour - November 24, 1923.
Seizures and Trials

"The issue No. 43 of Martello, dated Nov. 24th has been held up by the Postal Authorities. It contained a debate that Carlo Tresca (Ego Sum) had with the fascist newspaper 'The Thought,' of Leghorn, Italy.

"Mussolini has become a sacred

RECORDED & INDEXED

DO NOT WRITE IN THESE SPACES

FILE NO. 61-1335-196	JAN 24 1924
BUREAU OF INVESTIGATION	JAN 3 1924
DEPARTMENT OF JUSTICE	- DIVISION
ROUTED TO:	FILE

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

Washington (3) New York (1)

WRP
WRP:FJK

"and inviolable person also in America.

"In one month three issues of Martello have been held up. We have come back to the exceptional war times. At that time all the subversive newspapers were persecuted without exception. Today, though, Martello is the only one to have the honor of being aimed at for its courageous anti-fascist campaign. If you do not receive the newspaper, or if you receive it with delay, you know the reason why.

"Do not desert - Do your duty by standing solidly by Martello.

"By CARLO TRESCA"

It also contains a miniature edition of "Il Martello" containing an article by Carlo Tresca, stating that "as the subversive papers have to depend for their existence on voluntary contributions and entertainments more than on subscribers, the Martello readers are urged to sell the raffle tickets."

A monthly supplement devoted to the diffusion of science, to the anti-religion fight and to the propagation of ideas, is promised for 1924. It ends thus:

"We fraternally greet you for the social revolution and for the libertarian idea." Another article entitled "persecutions," states, that as Martello is "a thorn in the eye of two governments - the fascist government in Rome and the Republican in Washington - it has been made a target at the instigation of the fascist prince Saetani." It also contains commendatories of Tresca's good work from Paolo Schicchi and Enrico Malatesta.

There is also a financial statement of Martello, showing a deficit of \$2744.81 up to October, 1923.

There was collected by Martello from January 1st to October,

1923:

For Political Victims in Italy - \$2246.22
For Sacco & Vanzetti - \$1012.82
For Freedom of Speech at Waterbury, Conn. - \$179.40.

On the last page there is a list of books (more or less radical and anti-religious) to be given for presents to the best contributors.

The whole literature, with the exception of the raffle ticket, is attached to this report for the Washington file.

REPORT MADE AT NEW YORK, N.Y.	DATE MADE 12/26/23	PERIOD FOR WHICH MADE 12/19/23	REPORT MADE BY DOMINICK DI ROCCO
TITLE AND CHARACTER OF CASE RE: U.S. VS CARLO TRESCA Violation Section 211, U.S.C.C., Forwarding Obscene Matter Through the U.S. Mails.			
FACTS DEVELOPED: <p style="text-align: right;">1335</p> <p style="text-align: center;">Pursuant to instructions received I proceeded to the Pennsylvania Station at 5:35 P.M. and watched for Tresca, who was reported to be leaving for Steubenville, O. on the 6:05 P.M. train, however, Tresca did not put in an appearance. Telephoned this information to Bureau office and was instructed to discontinue.</p>			
DO NOT WRITE IN THESE SPACES			
FILE NO. 61-1335-192		BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE	
ROUTED TO: TOLSON		JAN 29 1924 JAN 7 1924 DIVISION	
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: WASHINGTON (3) NEW YORK (2)		
			DD-WED

Department of Justice
Bureau of Investigation
15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.

Dec. 29, 1923.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

61
1335

Attention Mr. J. E. Hoover
Re: U. S. vs. Umberto Nieri-
violation sec. 211, U. S. C.
C. - Forwarding Obscene Liter-
ature Through the U. S. Mail

Dear Sir:

Referring to my recent correspondence con-
cerning the above named, who, as you are aware, is the
trusted lieutenant of Carlo Tresca (recently convicted
under the same statute), was taken into custody by U. S.
Deputy Marshals last evening at his office, 304 East 14th
Street.

Nieri was later arraigned before U. S. Judge
Bondy and bail was fixed at the sum of \$1500, which amount
was tendered by a surety company and Nieri released. No
date has been set for trial up to this time.

Yours very truly,

Edward J. Brennan
EDWARD J. BRENNAN,
Special Agent in Charge.

CJ3:JYJ
R-115-E

RECEIVED
JAN 8 1924
DIVISION

61-1335-193
JAN 16 1924
DEC 31 1923
RECORDED
FILE

THIS CASE ORIGINATED AT		New York, N.Y.		JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY	
REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:		
NEW YORK, N.Y.	12/31/23	12/31/23	WILLIAM RALPH PALMERA ✓		
TITLE AND CHARACTER OF CASE:					
RE: U.S. VS CARLO TRESCA Viol. Sec. 211, U.S.C.C. Forwarding Obscene Literature Through the U.S. Mails.					
FACTS DEVELOPED:					
<p>In the columns of "Il Martello", issue No. 46, dated December 22nd, 1923, there appears two entire pages devoted to the subject's trial and his sentence of "a year and a day."</p> <p>The first article by Luigi Quintilliano, entitled "LET US GET TOGETHER", deals with the usual phraseology against Mussolini and his evil means to get those opposed to Fascism. The writer states that Ambassador Gastani provoked Tresca's arrest for his article "Down with the Monarchy" which appeared in Martello of May 5th, 1923, but that in order to avoid a sensational trial in which the Savoy House's private affairs would be discussed, Prince Gastani influenced the State Department so that the Postal Authorities and the Department of Justice might find a charge of postal law violations.</p> <p>The three departments were not the only ones represented in Court. They were aided by a spy, Joseph Sposa, who for 11 months had worked in the Martello Office as one of the comrades. And there was a young District Attorney,</p>					
DO NOT WRITE IN THESE SPACES					
<p>67-1335-194 JAN 30 1924</p> <p>BUREAU OF INVESTIGATION</p> <p>RECORDED & INDEXED</p> <p>DEPARTMENT OF JUSTICE</p> <p>ROUTED TO: [] JAN 1 1924</p> <p>WRF-WED copied</p>					
REFERENCE	COPIES OF THIS REPORT FURNISHED TO:				
	WASHINGTON (3) NEW YORK (2) U.S. ATTY(1)				

NEW YORK, N.Y. 12/31/23 U.S. VS CARLO TRESCA W.R. PALMERA

who to assure himself a career, put all his young ardor in projecting, as an cinematographic film, the activities of Carlo Tresca in 20 years of Labor Movement."

The second article entitled "Relation of a Dishonest and Shameful Persecution" and signed "The Reporter," relates all the discriminations committed by the postal authorities against Il Martello from the month of August, 1923 on:

The following excerpts are translated and respectfully submitted:

"The United States Government was represented by District Attorney Mattuck and Carlo Tresca by ex-Assistant Federal District Attorney, Harold Content. The courtroom was filled with spies, Department of Justice agents, Bomb Squad men and an army of postal inspectors. The government's case was conducted by Agent Scully, that one who knows the mystery of Salsedo's death. This man was there to suggest, to advise, to assist District Attorney Mattuck. Joseph Sposa testified, etc. etc.

"Humbert Nieri courageously and honestly deposed that it was he who wrote the addresses on the packages, who received the money from the buyers, who had ordered the books and received them from Italy, etc.....

"The jury after two or three hours deliberation, found Tresca guilty and they could not do otherwise, those poor jurors. All good people, 100% Americans, lovers of order and law,

NEW YORK, N.Y. 12/31/23 U.S. VS CARLO TRESCA

W.R. PALMERA

they were told by the District Attorney that Tresca was ~~a~~ bombardier anarchist, a dangerous agitator, sly, intelligent; they were told, "Do not let this man go, for he will climb upon ~~the~~ roof of his house and will cry out with all the strength of his voice that he has beaten this government once more."

"On December 8th, there was a meeting in Judge Goddard's chambers and the District Attorney made, etc."

(What follows is a faithful narration of what took place in the Judge's Chamber.)

The third article entitled "The Tresca Case and the "Corriere D'America." and signed "Ego Sum (Tresca's Pseudonym) contains a personal attack against Barzini's newspaper, attacks Caminita as the real spy and instigator against Tresca and ends with the following words:

"Oh yes, Tresca said he was not an anarchist. Well, Tresca is not an imbecile. You know it. The District Attorney knows it, also; it was he who said to the jury. Tresca is a brilliant and superior mind. He is as sly a man as ever there was.

"He had to state that he was an anarchist to oblige spies like you and the Facists in Italy and here. The Department of Justice was there in full force, as they say in English, to grab Tresca by the neck and say "Ah, you state to be an anarchist? Well then Ellis Island for you.

"That spy of Caminita knows that if Tresca had been

NEW YORK, N.Y. 12/31/23 U.S. VS CARLO TRESCA

W.R. PALMERA

brought to the Island he would not have been freed by request of the Department of Justice, for Mr. Burns does these things only for spies and confidential men like Caminita.

"Carcasses of 'Corrieri D'America', you know as well as we do that what was wanted was the deportation of Carlo Tresca to satisfy upon him, in the martyred Italy, the thirst of revenge that gnaws fascism.

"The dough was baked without a hole. That bearded Tresca is cunning - don't you think so? And he is here, in his family, to fight with calm, and while he is waiting to go to jail, he tells you: Spies, put your heads down."

A copy of this issue was given to this agent by Mr. Bowen, to whom it is returned to be transmitted to Washington.

THIS CASE ORIGINATED AT **New York, N.Y.**

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: NEW YORK, N.Y.	DATE WHEN MADE: 12/28/23	PERIOD FOR WHICH MADE: 12/22/23	REPORT MADE BY: DOMINICK DI ROCCO
--	------------------------------------	---	---

TITLE AND CHARACTER OF CASE:

RE: **U.S. VS CARLO TRESKA - VIOLATION SECTION 211, U.S.C.C. FORWARD-
ING OBSCENE MATTER THROUGH THE UNITED STATES MAILS.**

FACTS DEVELOPED:

1335

Today received from Carlo Tresca's office at 304 E. 14th Street, this city, some literature and a raffle book containing 20 consecutive numbered tickets from 117,271 to 117,290 to be sold. All of this matter was brought to the Bureau office and turned over to Agent William Ralph Palmera to be translated. His translations of same will be incorporated in a separate report dated December 22nd.

Continued.

RECORDED & INDEXED

DO NOT WRITE IN THESE SPACES

67-1335-195		JAN 11 1924 DIVISION
BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE		
ROUTED TO: HOOVER	FILE	<i>DDK</i>

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

WASHINGTON (3) NEW YORK (2)

DD-WED

61-1335

January 4, 1923.

Mr. W. R. Landis,
Second Asst. Commissioner,
U. S. Department of Labor,
Ellis Island, New York.

Re: U. S. vs. Carlo Tresca -
Violation Sec. 211, U.S.C.C.,
forwarding Obscene Literature
through the United States Mail

Dear Sir:

Referring to your letter dated January 3, 1923, 1924, requesting certain information concerning Carlo Tresca who was recently sentenced to the Federal Penitentiary at Atlanta for a year and a day, you are advised that the records of this office show the following:

That Tresca during the year 1920 made a statement at Police Headquarters, this city, to the effect that he had arrived in the United States sixteen years ago on the S. S. Tourraine of the French Line and that his birth place is Agnolia, Province of Aquila, Central Italy.

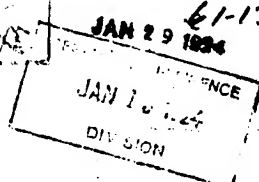
During his recent trial, while under cross-examination, he admitted that he was an alien, a subject of Italy. He is not known to have used at any time an alias, although he is often referred to by his comrades as "Carlucci." His last known address is 511 West 124th St., New York City, at which place he resides with Elisabeth Curley Wynn whom he designated prior to sentence as his common-law wife, after admitting to U. S. Judge Goddard that he was legally married and had one child, but had been separated from his wife for a number of years.

It is to be noted that after his conviction Tresca engaged Agent Souly of this office in conversation and informed him that he was well aware that the Immigration Authorities could not institute any deportation proceedings against him.

Yours very truly,

EDWARD J. BRUNNAN,
Special Agent in Charge.

CJJ:VJY
R-115-3
Ct Wash.



THIS CASE ORIGINATED AT

PHILADELPHIA, PA.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: PHILADELPHIA, PA.	DATE WHEN MADE: 3/13/24	PERIOD FOR WHICH MADE: 3/11/24	REPORT MADE BY: J. P. MC DEVITT
--------------------------------------	----------------------------	-----------------------------------	------------------------------------

TITLE AND CHARACTER OF CASE:

CARLO TRESCA

: ANARCHIST ACTIVITIES :

FACTS DEVELOPED:

AT PHILADELPHIA:

- ATTENTION- MR. HOOVER -2 -

CARLO TRESCA spoke in Philadelphia, Pa., before the
 ITALIAN WORKERS' PARTY on Sunday, March 9th 1924, at 4th & Pine Streets.
 In his speech, he combatted the Fascisti. About seventy five persons
 were present.

This conference was held prior to another conference held
 at Garrick Hall, 8th & South Streets, Philadelphia, Pa., where a REV.
 CAV. UFF. CELAURO was scheduled to speak on the same day in behalf
 of the Fascisti movement. However, at the conference where CARLO
 TRESCA was speaking, he suggested that all of the comrades attend
 the conference at which REV. CELAURO would speak and disrupt the
 meeting. This suggestion was carried out and this meeting was broken
 up by the police who cleared the hall.

CARLO TRESCA also spoke at 11 A.M. at Public Hall, 7th &
 Morris Streets, Philadelphia, Pa. He was received with great ovation
 by the audience. He called MUSSOLINI the greatest Italian clown and
 severely criticised the Italian government.

CONTINUED.

APPROVED AND
FORWARDED:SPECIAL AGENT
IN CHARGE

COPIES OF THIS REPORT FURNISHED TO:
 3-WASHINGTON;
 2-PHILADELPHIA

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

ROUTED TO:
HOOVER

DO NOT WRITE IN THESE SPACES

RECORDED AND INDEXED

MAR 21 1924
CHECKED OFF

RECORDED

INTELLIGENCE

DIVISION

HCS

REPRODUCTION PROHIBITED

Instructions received from Special Agent in Charge Letherman. 1.

THIS CASE ORIGINATED AT NEW YORK, N. Y. JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Boston, Mass.	DATE WHEN MADE: Mar. 31/24.	PERIOD FOR WHICH MADE: Mar. 29-30/1924.	REPORT MADE BY: William J. West.
TITLE AND CHARACTER OF CASE: <u>CARLO TRUZZA,</u> : Box 92, Station D, : Alien anarchist : New York, N. Y. : activities.			
FACTS DEVELOPED: <u>AT BOSTON, MASS.</u> : <u>Boston file 66-101/335.</u>			
<p>Under date of March 28, 1924, the New York City office of the Bureau, in its letter initialed CJS-WJ, notified this office to the effect that CARLO TRUZZA was planned to speak at Lynn and Boston, Mass., on Sunday, March 30th, 1924.</p> <p>On March 29, 1924, the writer visited Paine Hall, 9 Apolton Street; Scenic Temple, Berkeley Street and Warren Avenue, and Ford Hall, Leffert Place, Boston, to ascertain, if possible, whether the meeting was to be held at any of these places. The only information available was that at Paine Hall an engagement had been made for March 30, 1924, by the Young Men's Progressive Club.</p> <p>On Sunday, March 30, 1924, your agent visited Scenic Temple, which has been used lately for meetings of the Workers' Party, and there found a meeting of the Independent Workmen's Circle. Hebrews only were present at this meeting, which was for members, and information was received to the effect that the speakers were local men.</p> <p>At the Ford Hall, a public hall, once used by the Russo-Van-Setti Committee, there was only a</p>			
REFERENCE:		<p>DO NOT WRITE IN THESE SPACES</p> <p>FILE NO. <u>61-1335-198</u></p> <p>BUREAU OF INVESTIGATION</p> <p>DEPARTMENT OF JUSTICE</p> <p>ROUTED TO: FILE</p>	
COPIES OF THIS REPORT FURNISHED TO:		<p>BUREAU, WASHINGTON, 3; N.Y. CITY, 2; BOSTON, 2. <u>WJW/8</u></p>	

3/31/1934.

meeting of Armenians interested in the Near East Relief.

At Faine Memorial Hall, 9 Appleton street, there was also another Armenian meeting in progress but not of a radical nature. This hall is used most frequently for anarchist and communist meetings.

Ford Hall, Ashburton Place, where previous meetings of the Sacco-Vanzetti Defence Committee have been held and where TAMSON has spoken, was found closed, as was also Tremont Temple, in which building Mypolite Havel spoke in January, last. These appeared to be all of the halls in the city in which a radical meeting of any size might be held. Informant [REDACTED] ⁶² was directed to cover the city of Lynn and report on any meeting held there.

656859.

WJW
WJW/a.



MR: JWM

Department of Justice
Bureau of Investigation
Washington, D. C.

March 22, 1924.

MEMORANDUM FOR MR. HOOVER

in re:

CARLO TRESCA and UMBERTO NIERI

During the course of the Tresca trial, as well as subsequent thereto, and prior to the sentence of Nieri, Tresca has made many statements to the effect that influence would be brought to bear upon the judges connected with these cases in order that both he and Nieri might be fined rather than imprisoned. In rare instances has Tresca mentioned the names of those who would exert influence for him and his associates. He has spoken in a veiled manner of persons at Washington, individuals "close to the Judge", et cetera. It is known, of course, that La Guardia, who represented him, has been very active in his behalf as well as in the behalf of Nieri.

I rather think that Tresca is not really sincere in reference to the influence he may command. I think that in many instances his statements are for the effect upon his associates. He has referred to people in Washington "on the alert" in his interests and those of Nieri. Mrs. Senger, he stated, has seen Judge Hand in his behalf. This apparently availed him nothing. Of late, the name of Senator Copeland has been mentioned as an individual who was to be seen by an "influential man" after said "influential man" had "seen the Judge".

Very truly yours,

APR 9 1924
61-1335-199
BUREAU OF INVESTIGATION
APR 5 1924 A.M.
DEPARTMENT OF JUSTICE
HOOVER FILE

March 21, 1934.

MEMORANDUM

in re:

CARLO TRESCA

Tresca is a well known Italian anarchist. He arrived in the United States about 1904 or 1905 on the S.S. "Tourraine", his birthplace being Semonia, Province of Aquila, Italy. He has never been naturalized. Prior to coming to the United States, Tresca was sentenced to a term of two years under a conviction in Italy for his activities there, but escaped from that country and proceeded to Switzerland.

In the textile strikes in Lawrence, Mass. in 1912 subject was active as an I.W.O. organizer and played a prominent part in the disorders.

In January 1913, Tresca was an active leader, with Elizabeth Garley Flynn, of the hotel workers' strike in New York City. This strike in New York was accompanied by much disorder and some rioting. Following the hotel workers' strike Tresca was active in organizing the barbers and in their strike he was a leader. This strike was accompanied by considerable disorder.

In 1913 Tresca was one of the leaders in the strike in the silk mills at Paterson, New Jersey. During this strike in Paterson, there was also great disorder for a large part of which Tresca was responsible by reason of his speeches and personal activity.

During this strike one of the strikers was killed and at the grave Tresca was called upon to speak. He is quoted by New York newspapers of April 23, 1913, as saying:

"Fellow workers do not forget the principle of the toilers who come from Italy, - For Blood, you must take Blood".

Tresca was indicted in New Jersey for his participation in the Paterson strike, one of the charges against him being for seditious utterances. He was acquitted on this charge July 1, 1914. On a third charge growing out of the same strike, that of causing a riot, he was sentenced in the Lower Court to sixty days imprisonment, but upon appeal the conviction was dismissed.

In 1914 Tresca was active in New York City where he was associated with Alexander Berkman and other radicals. Taking advantage of the unemployment situation demonstrations were staged throughout New York City with Tresca and his companions as the speakers. These meetings

usually ended in the forming of processions, though without police permits, and on one occasion in April 1914, after a demonstration had been made in Union Square, Tresca declared to newspaper reporters that the police were afraid to interfere.

Tresca was an associate also of Caron, Hanson and Berg, three anarchists who were blown to pieces while making a bomb in a house on Lexington Avenue, New York, during 1914. Following the demise of these three men Tresca was one of the speakers at a meeting held in their honor, after which he was interviewed by a newspaper reporter. He is quoted as saying,

"I have no fault to find with him (Caron). I believe in violence. I believe he was justified in what he intended to do. Nothing can make me believe any other way than Caron did."

Tresca led the reporter to believe that the bomb which the three men were making was intended for John D. Rockefeller, Sr.

In 1914 Tresca filed suit for divorce, alleging that his wife was not a proper person to retain the custody of their child. Mrs. Tresca filed counter suit for divorce, naming as correspondent Elizabeth Gurley Flynn, but Mrs. Tresca was refused a divorce. It has been reported many times that Elizabeth Gurley Flynn

was Tresca's mistress.

In 1915 Tresca was active in the defense of Carbone and Arbano, convicted of placing a bomb in St. Patrick's Cathedral, New York City. When interviewed by a reporter of the "World" as to the probable guilt of the defendants, Tresca is alleged to have said:

"If these defendants are guilty I want to see them convicted. I believe in violence, but only in violence when it advances the cause of labor."

This is reported in the New York "World" of April 3, 1915.

During the trial of Carbone and Arbano, Police Inspector Tunney took the stand and testified that when Carbone was questioned subsequent to his apprehension he told Mr. Tunney that,

".....He got the idea of planting bombs while attending anarchists meetings and hearing fellows like Tresca speak."

Tresca was closely associated with and a friend of Luigi Galleani, the leader of the well-known Galleani group of anarchists in the New England district. This friendship is revealed in copies of personal correspondence addressed by Tresca to Galleani, which letters were seized in 1917 when Galleani was arrested on deportation warrant.

In 1916, while Tresca was in Minnesota active in the strike in the iron ore mines in that state, one

of the strikers was shot and killed, and at the grave Tresca was called upon for a speech. He is alleged to have administered the following oath to the persons present:

"Fellow workers, I want you to take the following oath: 'I solemnly swear that if any Oliver gunman shoot or wound any miner, we will take a tooth for a tooth, an eye for an eye or a life for a life'."

This statement was made by Tresca in English and the newspaper reporter who was present subsequently signified his willingness to testify as to his hearing this statement by Tresca.

In a speech made by Tresca on November 30, 1913 during the Iron ore strike in Minnesota he is reported to have told the strikers that they had just begun their fight and that they could only call themselves victors when they had planted the red flag on the mining properties. He said:

"Non la straccio come le stelle ex le stelle ex le strappe, ma la bandiera rossa del riscatto."
(Not the rag with the stars and stripes but the red flag of our redemption.)

He is stated to have closed the speech saying that when they have won this strike and got back to work they should save their money and instruct their children to save their money to buy cartridges with which to take the mining properties away from the ruffians and dirty bosses, and give the property back to humanity to whom

it belonged.

In July 1916 Tresca was indicted in Minn. in connection with the death of Deputy Sheriff J. C. Myron during the 1913 strike but in December 1916 he was acquitted of this charge.

Tresca was one of the persons indicted with William D. Haywood, et al, at Chicago, but it appears that Tresca was never tried, for what reason it does not appear.

Tresca has for a good many years been the editor of various Italian radical publications. He is at present the editor and publisher of "Il Martello" (The Hammer) published in New York City.

In addition to the publication of this paper Tresca has also engaged in the distribution of a considerable number of books and pamphlets upon anarchy in the Italian language.

Tresca has been very active as a worker and speaker on behalf of the Sacco-Vanzetti Defense Committee.

Tresca addressed a gathering of radical Italians at Swatara, near Hathey, Pennsylvania, on May 14, 1922, during which he said that all governments were corrupt and that the people as a whole would be better off without any government at all. At this point one of the

persons asked Tresca whether he was not a socialist and in reply subject stated that he was not a socialist but an anarchist. At this meeting Tresca was very careful not to mention or advocate force or violence. Tresca is usually exceedingly careful and cautious in his statements, and while he does not openly advocate the overthrow of Government by force, his speeches and writings tend to convey that thought to any gathering of Italian radicals before whom he appears.

In the issue of "Il Martello" for April 26, 1919 there appears an editorial referring to the deportation of a number of Russians. From that editorial the following is quoted:

"We curse you bourgeoisie republic. You may imprison us, you can blind us, but ideas cannot be deported. The ideas we have sown with a full hand will germinate - will bear fruit. It will be those ideas which will enlighten the slaves on whose ample, curved shoulders your pretorians are today resting.

Ideas are not imprisoned; are not deported; they remain.

We curse you oh lying Republic. We denounce you before the world."

In "Il Martello" issue of May 1, 1921, the following appears:

"To attain it (Communism) according to us, it is necessary and sufficient that all be free and that all possess the means of production; that

"no one impose his own will on another and that no one shall oblige another to work for him. And it is to realize these conditions that we believe in the necessity of the violent revolution. Once the material obstacle (the Government) is overthrown all violence will be useless, harmful and criminal."

In "Il Martello" of September 17, 1921 there appeared an article "Wolf in Sheep's Clothing", which in its own words and by way of quotation from the Italian Anarchist paper "Umanita Nuova" was an incitement to assassination of the Italian Fascisti Deputy, Bottai, who was then in the United States. Subject has for some time been active in anti-Fascisti activities and demonstrations.

On August 14, 1923, Subject was taken into custody on the charge of mailing and delivering unmailable matter, through the U.S. mail. He was arraigned before Commissioner Hitchcock in New York and hearing set for September 26, and bail set for \$1,000. Congressman La Guardia appeared as his counsel. The obscene matter forming the basis of this charge was of an extremely improper and vile type. The article in question, appeared in the May 5, 1923 issue of "Il Martello" which Tresca has edited and published for a number of years. Tresca and "The Martello" management have also printed a number of books containing a large amount of obscene matter, and have been under surveillance by the Postal Authorities

for some time.

Tresca was held by the United States Commissioner for the action of the United States Grand Jury, was indicted by the Grand Jury, and after various postponements of his trial was found guilty on November 27th, 1923. On December 8th, his sentence having been deferred until that date upon the request of Congressman La Guardia and others, Subject was sentenced to one year and one day by United States District Judge Goddard of the Southern District of New York. Subject had been represented by Harry Content of New York, and the latter as well as George Gordon Battle and Congressman La Guardia pleaded with Judge Goddard for mitigation of sentence. Before passing sentence, Judge Goddard asked Tresca if he was married, and upon Tresca's answering in the affirmative, he pointed at Elizabeth Gurley Flynn as his wife. Upon further questioning he admitting that he had been living with her for a period of about 12 years, having been separated from his wife, to whose support and that of his child, he had been forced to contribute. An appeal was taken by his attorney and Subject was released on \$5000 bond pending disposition of said appeal.

March 22, 1924.

MEMORANDUM

in re:

UMBERTO NIERI.

The Bureau files disclose little information concerning the above mentioned subject. He is known, however, to have been a chief lieutenant of Carlo Tresca's for a number of years, having assisted him in the publication of "Il Martello", well known anarchist journal, as well as in the distribution of various anarchistic pamphlets sent out from headquarters. Nieri has also made several propagandist speeches throughout the country, enunciating anarchistic principles therein. Both he and Tresca are disciples of Malatesta, the noted Italian anarchist and have distributed books of the latter in this country. At the recent trial of Carlo Tresca, for sending obscene literature through the mails, Nieri and others attached to the Martello staff, made every effort to save Tresca from conviction. Nieri testified at said trial that he, and not Tresca, was responsible for the sending of the obscene literature in question through the mail.

Nieri was indicted under section 211, U.S. C.C. on the basis of his testimony as set forth above, and was

In re: UMBERTO NIERI

2.

sentenced to a term of imprisonment, of six months
at the West Chester County jail, by United States
District Judge Garvin of the Southern District of
New York.

He is, apparently, now serving sentence.

50147

April 4, 1924.

Mr. Nathan
133MEMORANDUM FOR MR. DAVIS.

I am attaching hereto a copy of a memorandum prepared from the contents of the files of this Bureau upon Carlo Tresca and Umberto Nieri. The former has been the subject of extensive investigations made by the Bureau of Investigation, resulting ultimately in his arrest, trial and conviction. During the course of the Tresca trial, as well as subsequent thereto, and prior to the sentence of Nieri, an associate of Tresca, Tresca made statements to the effect that influence will be brought to bear upon the Judges connected with these two cases in order that both he and Nieri might be fined rather than imprisoned.

In a number of instances Tresca mentioned the names of persons who would exert influence for him and his associates. He mentioned in a veiled manner of persons at Washington. It is of course, that Representative McGuire, who represented Tresca, was very active in his behalf, as well as in behalf of the name of Senator Copeland has been mentioned as an individual who would be interested in the case.

In calling these two cases to your attention in view of the circumstances and if a suggestion might be in order, I submit that every effort will be made to bring about the conviction of both Tresca and Nieri. Tresca particularly is a most troublesome character.

Very truly yours,


Director.

J. E. Davis.

Best available Copy

61-1335-199

THIS CASE ORIGINATED AT **Boston, Mass.**

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT Boston, Mass.	DATE WHEN MADE Apr. 2/1924.	PERIOD FOR WHICH MADE Mar. 30/1924.	REPORT MADE BY [REDACTED]								
TITLE AND CHARACTER OF CASE. CARLO TRESCA, :: Box 92, Station D, :: Alien anarchist :: New York City. :: activities.											
FACTS DEVELOPED: At New York. (Boston file No. 101/302)											
<p>Reference is had to letter from the New York City office of the Bureau, dated March 28, 1924, initialed GJS-BD.</p> <p>On March 19, 1924, Informant attended a mass meeting at Masters' Hall, 100, Nassau, conducted by the Italian Federation of the Workers Party, at which CARLO TRESCA, said to be a member of the Italian Federation, was the speaker.</p> <p>One MARIO was the chairman of the meeting, which was conducted in Italian. Through one A. DOMINIC, a member of the federation, informant was advised that the principal speaker, TRESCA was urging the Italian workers to become members of the party, and to organize and agitate so that the party may be controlled by the militant workers of America, and it was therefore up to the workers to work hard to have in this country a government dictated by the workers. The speaker, informant was advised, also urged his audience to assist the "political prisoners", and spoke on behalf of the emancipation of all trades unions. He also referred to the Farmer-Labor Party and its control by the Workers Party as a means of</p>											
DO NOT WRITE IN THESE SPACES											
<table border="1" style="width: 100%;"> <tr> <td colspan="2">FILE NO. 101-1335-200</td> </tr> <tr> <td colspan="2" style="text-align: center;">BUREAU OF INVESTIGATION</td> </tr> <tr> <td colspan="2" style="text-align: center;">DEPARTMENT OF JUSTICE</td> </tr> <tr> <td>ROUTED TO:</td> <td>FILE</td> </tr> </table>				FILE NO. 101-1335-200		BUREAU OF INVESTIGATION		DEPARTMENT OF JUSTICE		ROUTED TO:	FILE
FILE NO. 101-1335-200											
BUREAU OF INVESTIGATION											
DEPARTMENT OF JUSTICE											
ROUTED TO:	FILE										
REFERENCE	COPIES OF THIS REPORT FURNISHED TO: WASHINGTON, 3; N. Y. CITY, 1; BOSTON, 2.										

opposition to the capitalist government and to the securing of control of the government. He also, it is said, states it was up to the workers themselves to stop the capitalistic dictatorship in Washington and all of the graft that has been exposed there in recent investigation, stating that all the workers of the world are responsible for capitalistic and imperialistic governments. He also condemned fascism in Italy, claiming that all monarchistic organizations are standing by the governments of Italy and France, and that they, in turn, stand by the capitalist government of this country; and for this reason it was necessary for the militant workers of this district, as well as of other countries, to crush such forms of government and to have freedom for all workers.

About 145 persons were present at this meeting, all Italian workers, and a collection took place.

C. C. C. D.

Instructions received from Special Agent in Charge Letherman.

1.

THIS CASE ORIGINATED AT Boston, Mass.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: <u>Boston, Mass.</u>	DATE WHEN MADE: <u>4/20/1924</u>	PERIOD FOR WHICH MADE: <u>4/20/1924</u>	REPORT MADE BY: <u>[REDACTED]</u>
TITLE AND CHARACTER OF CASE: <u>CARLO TROSCI</u> : <u>Box 92, Station F,</u> : <u>Alien anarchist activities.</u> : <u>New York City.</u> :			
FACTS DEVELOPED: <u>At Lynn, Mass.</u> <u>Boston file No. 101/209.</u>			

Under date of April 2th, 1924, Informant submitted a report concerning the proceedings of CARLO TROSCI at Lynn, Mass., on March 20, 1924, on which date he addressed a gathering in that city. That report was submitted pursuant to information contained in a letter from the New York City office of the Bureau, dated March 28, 1924, initialed GJS-VD, to the effect that TROSCI was expected to speak in Lynn on that date.

This report is supplementary to that one is for the purpose of further explaining statements of informant at that meeting because of a possible doubt about Informant covering the same as expressed in letter from the New York City office, initialed GJS-VD, dated April 17, 1924.

Informant desired to state further that on Sunday, March 20, 1924, he attended this meeting addressed by CARLO TROSCI. On Saturday, March 29, 1924, when Informant reported, by telephone, to the Bureau office, he was advised of this expected meeting at Lynn and was

APPROVED AND FORWARDED: SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	RECORDED AND INDEXED:
REFERENCE: <u>COPIES OF THIS REPORT FURNISHED TO:</u>	BUREAU OF INVESTIGATION	CHECKED OFF:
<u>Bureau, Washington, 3;</u>	DEPARTMENT OF JUSTICE	JACKETED:
<u>New York City, Office, 2;</u>	ROUTED TO:	FILE
<u>Boston Office, 2.</u>		
<u>3-211/a</u>		

instructed to cover the same. On Sunday, March 30th, Informant visited Masters' Hall, Andrews street, Lynn, Mass. On the first floor in front of the building there was written on a blackboard the inscription: "Italian Meeting - Carlo Tresca - Second Floor". This meeting was held in Masters' Hall, Andrews street, Lynn, on the third floor, counting the street entrance as the first floor. The meeting was scheduled to occur at 2.30 p.m., but did not start until nearly 3 p.m. Informant went into the hall and found circulars advertising the meeting, one of which is attached. As there were only about 25 to 40 persons in the hall when Informant first went in, and as no speaking was going on, Informant went out and later returned with a friend, an Armenian, who understands Italian slightly. Upon returning to the hall there was an Italian person speaking, name unknown to Informant, who may be described as follows: about 40 to 45 years of age, about 5'7" in height, weight about 160 pounds, bald-headed. He was followed by Carlo Tresca, who spoke entirely in Italian. Tresca may be described as follows: about 40 years of age, about 5'8" in height, weight about 170 pounds, wore bandyke beard and, Informant believed, wore glasses, although not positive of the latter. Sitting on the platform with these two speakers was one FRANK F. W. C., a resident of Lynn, Mass., known to Informant as being prominent in the activities of the Workers Party. Informant, not understanding Italian, had to rely upon an Armenian informant who understood it slightly, and also had to rely upon information secured from one A. DOMINIC, who has attended previous meetings of the Workers Party and who was present at this meeting. Through these informants the writer was advised

that Tresca spoke on the subject of free speech, assistance to political prisoners, opposition to fascist movement, unification of workers, and control of government by the workers.

In view of the fact that Falgo and other Italians who have been active in the Workers Party were present at this meeting, and in view of information from informants that Tresca spoke in favor of control of everything by workers, Informant was led to believe, by reason of this, that it was agitation on behalf of the Workers Party, although, of course, Informant has no information that Tresca is a member of that organization.

CLOSED.

J-211
2-211/d

Instruction

Special Agent

German. 1.

THIS CASE ORIGINATED

S.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Boston, Mass.	DATE WHEN MADE: Apr/22/1924	PERIOD FOR WHICH MADE: Apr/22/1924	REPORT MADE BY: William J. West.
TITLE AND CHARACTER OF CASE: <u>CARLO TRESCA</u> , : Box 92, Station D, : Alien anarchist : New York City. : activities.			
FACTS DEVELOPED: <u>AT LYNN, MASS.</u> Boston file #101/308. 1335-62			
<p>Reference is had to report of Informant [REDACTED] this office, made April 9, 1924, reporting a meeting addressed by CARLO TRESCA at Lasters' Hall, Lynn, Mass., on Sunday, March 30, 1924. Pursuant to suggestion contained in letter from the New York City office of the Bureau, dated April 17, 1924, initialed GJS-VD, inquiries were made at Lynn on the 22d instant to ascertain (1) whether such a meeting was held, (2) was addressed by Carlo Tresca and (3) whether it was conducted by an Italian Federation of the Workers Party.</p> <p>Under suitable pretext, it was ascertained that CARLO TRESCA did address an Italian meeting at Lasters' Hall, 34 Andrew street, Lynn, Mass., on the afternoon of Sunday, March 30, 1924, without announcement of it being held by any particular organization.</p> <p>Lasters' Hall is in a building at 34 Andrew street, that city, owned and occupied in part by Lasters' Local No. 1 of the United Shoe Workers of America. The hall was let by Mr. Emment of that union for the hours of one to six p.m., to a member of the union, one DANIEL PALOTTA, who specified no organization. DANIEL PALOTTA, who</p>			
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: Bureau, Washington, 3; N.Y. City, 1; Boston, 2.		

DO NOT WRITE IN THESE SPACES

FILE NO. 67-1335-202
 APR 23 1924
 BUREAU OF INVESTIGATION
 DEPARTMENT OF JUSTICE
 ROUTED TO: HOOVER
 DIVISION

7/34/d.

4/22/1924.

resides at 8 Rockland street, Lynn, is employed at Cruise and Sullivan Shoe Manufactory, Central Square, Lynn, Mass., and referred to the meeting as a "labor and political meeting", but the shoe union knew nothing of the meeting other than that it was an "Italian meeting". Your agent was informed that the meeting was held under the auspices of the so-called Lynn Italian Amateur Dramatic Club, which has an office at Room 8, No. 90 Market street, that city.

There is no report in the files of this office showing member of ¹¹⁷EMILIO PANCINA in the Workers' Party, but there is a report of him being an alleged anarchist. Under date of August 10, 1920, Agent W. E. Hill, submitted a report concerning him. At that time he resided at 41 Valley Avenue, Lynn, was an alien, had been in the United States twenty years, and did not desire to become a citizen. It was then reported that he was 35 years of age and father of four children. His name at that time appeared on a list belonging to EUGENICO CAMINITA, an anarchist of Newark, New Jersey. At the present time his name does not appear on the voting list of Lynn, the inference being that he is still an alien. In a supplementary report submitted by Informant Z-211, herewith, his description of the person on page two accords with that of PANCINA.

• FRANK FALCO, referred to by Informant ¹² [REDACTED] as one of the speakers at the Tresca meeting, has been the subject of reports to this office concerning activities of the Workers' Party. His true name is FRANK FALCO. He resides at 30 High street, Lynn,

is a shoe-worker by occupation, and has been active in radical circles in that trade. He is not a registered voter in that city.

While the writer has always regarded TRESCA as an anarchist, or an anarcho-communist, yet as pointed out in a report submitted in his case under date of May 5, 1922, copy of which was transmitted to the New York office, TRESCA has spoken at meetings regarded as communist organization gatherings. At meetings of the Workers' Defence Conference of New England, a communist party organization, he spoke in Boston on January 29, 1922, with Joseph Coldwell and L. B. Cosgrove; on June 19, 1920, at Boston addressed a gathering with Cosgrove and Elizabeth Gurley Flynn; on April 4, 1920, at Masters' Hall, Lynn, addressed the same organization with Elizabeth Gurley Flynn, and on April 24, 1921, at Boston, spoke before a meeting of the same body. In July of 1922, a number of members of the Boot and Shoe Workers' Union at Brockton, Mass., broke away from the A.F.W. organization and attempted to form a One Big Union organization, by calling a strike which lasted for several months, and on two occasions there Tresca spoke, with communists and members of the I.W.O., urging the formation of One Big Union. These instances are cited merely to indicate that in this district he has not confined himself wholly to anarchist meetings. Again, while nothing has been learned that would be evidence of the conduct of the meeting in question by the Workers Party, it is thought advisable to point out that conditions in the shoe industry in Lynn are not in good order and reports are to the effect that a decidedly communistic element, much in the minority, is attempting

4/22/1934.

to secure control of the labor situation there so as to create trouble similar to that which occurred in Brockton, a most strongly unionized A.F.I. city, in which Tresca participated on two occasions in July, 1923.

12 Attached will be found a supplementary report by Informant [REDACTED] containing his explanation for his assumption that TRESCA spoke on behalf of the Workers' Party and that the gathering was under the auspices of that organization.

CLOSER.

200
JWW/d.

Department of Justice

Bureau of Investigation
15 PARK ROW, 14TH FLOOR
NEW YORK, N. Y.



November 13th, 1924

1335

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

In re: U. S. vs. CARLO
TRESCA;
N.Y. FILE #61-71

Dear Sir:-

I have just been informed that Judge Kanton sitting in the U. S. Circuit Court of Appeals on the 10th instant denied the appeal made by Carlo Tresca on December 10th, 1923.

It will be recalled that Tresca was found guilty in the Federal Court, Southern District of New York, on November 27, 1923 of violating Section 211 of the U. S. Criminal Code and was on December 8th, 1923 sentenced by Judge Goddard to serve one year and one day's imprisonment at Atlanta Penitentiary.

It is not known at this time what further action Tresca, through his attorneys, intends to take.

Yours very truly,

Edward J. Brennan
EDWARD J. BRENNAN,
Special Agent in Charge.

JGT:MR

RECEIVED & INDEXED

DEC 4 - 1924

61-1335-204	
BUREAU OF INVESTIGATION	
NOV 14 1924 A.M.	
DEPARTMENT OF JUSTICE	
DIVISION 2	FILE

TAS

Instructions in Chicago, Edna J. Brennan.
THIS CASE ORIGINATED AT

REPORT MADE AT: New York City	DATE WHEN MADE: 11/25/24	PERIOD FOR WHICH MADE: 11/25/24	REPORT MADE BY: W. RALPH FAIRBANKS
TITLE: RE: <u>CARLO TRUSSA</u>			CHARACTER OF CASE: Viol. Section 211, U.S.C.C. Sending obscene literature through the Mails.
SYNOPSIS OF FACTS: Subject, CARLO TRUSSA, to go to Atlanta Penitentiary to serve a sentence of one year. <u>Details:</u> The Italian Communist paper, "Il Lavoratore" (The Worker) in its issue of November 22nd, 1924, published the following article: <u>"TRUSSA WILL HAVE TO GO TO JAIL"</u> CARLO TRUSSA has to go to jail for a year for having published some advertisements which were held illegal. The whole trial, however, was one of the usual "frame-up" affairs against a fighter for the proletarian emancipation. TRUSSA will start his sentence next Tuesday. DETAILS: CARLO TRUSSA.			
DO NOT WRITE IN THESE SPACES			
APPROVED AND FORWARDED: WASHINGTON REFERENCE: 44-12	COPIES OF THIS REPORT FURNISHED TO: Washington (3) New York (2) WRP: TRF:MG		11-1335-205 BUREAU OF INVESTIGATION NOV 27 1924 DEPARTMENT OF JUSTICE ROUTED TO: FILE NOV 28 1924 CHECKED OFF: DEC 17 1924 JACKETED:



THIS CASE ORIGINATED AT Albany, N.Y.Albany file 61-9

REPORT MADE AT: <u>Albany, N. Y.</u>	DATE WHEN MADE: <u>Dec. 2/24</u>	PERIOD FOR WHICH MADE: <u>Dec. 2/24</u>	REPORT MADE BY: <u>Nelson Boyd.</u>
TITLE: <u>IN RE: V. TRECCA, Troy, N. Y.</u>			CHARACTER OF CASE: <u>Official Collector, Subscriptions to Alba Nouva, Italian Communist Paper.</u>

SYNOPSIS OF FACTS:

11 / 1335-

No violation of above Act apparent. Closed.

DETAILS:(At Albany, N.Y.)

Reference is made to all previous reports in this matter, and as there appears to be no violation of any Federal Statute that subject is guilty of, this matter will be considered closed, unless otherwise advised.

CLOSED.

DETAILS:



DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>Nelson Boyd</i>	SPECIAL AGENT IN CHARGE	61-1335-206	RECORDED AND INDEXED: DEC 5 1924
WASHINGTON REFERENCE: #2	COPIES OF THIS REPORT FURNISHED TO: Washington-3; New York-1; Albany-1	BUREAU OF INVESTIGATION DEC 5 - 1924 A.M. DEPARTMENT OF JUSTICE	CHECKED OFF: DEC 16 1924
NB:MRD		ROUTED TO: Division 2	FILE

STANDARD FORM NO. 1

7-1225

THIS CASE ORIGINATED AT

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
New York City	12/8/24	12/8/24	W. RALPH PALMERA
TITLE:			CHARACTER OF CASE:
RE: <u>CARLO TRESCA</u>			Viol. Sec. 211, USCC. Mailing obscene literature.

SYNOPSIS OF FACTS:

New York File #61-71.

Appeal of subject denied from the conviction for violating Section 211 of the Criminal Code.

11 1335

Details:

Reference is made to Agent's report of November 25th, 1924, on the above entitled matter.

Agent wishes to advise that the Circuit Court of Appeals, Southern District of New York, has just denied the appeal of Defendant, CARLO TRESCA, from the conviction for violation of Section 211 of the Criminal Code, which was the subject of former reports.


CASE CLOSED.



DETAILS:

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	61-1335-207	RECORDED AND INDEXED: DEC 10 1924
WASHINGTON (REFERENCE)	COPIES OF THIS REPORT FURNISHED TO:	BUREAU OF INVESTIGATION	CHECKED OFF:
Att. 44	Washington (3) New York (1)	DEC 9 - 1924 A.M. DEPARTMENT OF JUSTICE	JACKETED:
	WRP.	ROUTED TO:	FILE
		Division 2	

REPORT MADE AT: New York City	DATE WHEN MADE: Feb. 25/25	PERIOD FOR WHICH MADE: Feb. 25/25	REPORT MADE BY: CHARLES J. SULLY
TITLE: IN RE: <u>U. S. vs. CARLO TRIEDDA</u>			CHARACTER OF CASE: Viol. Sec. 211 U.S.C.C.- Mailing obscene literature
<p>SYNOPSIS OF FACTS: <u>N.Y. FILE #61-71</u></p> <p>Forwarded copies of correspondence concerning efforts on behalf of Department of Labor to secure information that would tend to show that CARLO TRIEDDA can be classified as an anarchist and possibly a subject for deportation.</p> <p>DETAILS:</p> <p>Referring to the conviction of the above named individual who is now serving a term of imprisonment, I am attaching copies of correspondence from the Department of Labor, which Department has been engaged in making an investigation to determine whether CARLO TRIEDDA was amenable to the deportation laws.</p> <p>It is to be noted that W. R. R. LINDIS, Second Assistant Commissioner at Ellis Island requests that this office furnish him with such information that we possess which would tend to bring TRIEDDA within the anarchistic class as defined by law.</p> <p>DETAILS: CONTINUED:</p>			
APPROVED AND FORWARDED: 	SPECIAL AGENT IN CHARGE		DO NOT WRITE IN THESE SPACES
WASHINGTON REFERENCE: #2	COPIES OF THIS REPORT FURNISHED TO: Washington-3; New York-2;	61-1335-208 BUREAU OF INVESTIGATION FEB 27 10 25 A.M. DEPARTMENT OF JUSTICE	RECORDED AND INDEXED: FEB 27 1925 CHECKED OFF: MAR 7 - 1925 JACKETED:
ROUTED TO: Investigative		FILE 7-123	

(COPY)

U. S. DEPARTMENT OF LABOR
Immigration Service

98897/264

February 21, 1925.

Mr. Edward J. Brennan,
Special Agent in Charge,
Bureau of Investigations,
Department of Justice,
15 Park Row, New York, N.Y.

Sir:-

Referring to your letter of January 4, 1925 relative to Carlo Presca, this man is now under investigation by the District Director of Immigration at Atlanta Ga., who states that the evidence now available does not justify deportation proceedings. I enclose copy of his letter and the enclosure referred to.

As this man was under investigation by your Department I beg to inquire what, if any, information you have that would tend to bring him within the anarchistic class.

Respectfully,

(Signed) H. P. LADD

Second Assistant Commissioner.

RAY
Enc. 5209.

(COPY)

U. S. DEPARTMENT OF LABOR
Office of Inspector in Charge
Immigration Service
District 13

No. 1125/36

Federal Bldg.
Atlanta, Georgia

Commissioner of Immigration,
U. S. Immigration Service,
Ellis Island, N. Y. C.

There is enclosed herewith a copy of a statement made by Carlo Tresca, now serving a sentence in the Federal Penitentiary, Atlanta, Georgia. The evidence now available does not justify his deportation and your particular attention is invited to his statement that he was publishing articles against the Italian Monarchy which made formal representations to the State Department. Please cause an investigation to be made with the view of obtaining evidence which will bring this alien within the anarchistic class and thus enable me to bring about his deportation.

Signed- M. A. Coykendall

District Director.

Copies:YC

CP

U. S. DEPARTMENT OF JUSTICE
Office of Inspector in Charge
Immigration Service

Federal Bldg.
Atlanta, Ga.
February 10, 1925.

No. 1125/33

District 13

Preliminary investigation into the status of CARLO TRESCA, subject of Italy, serving a sentence of 1 year and 1 day in the Federal Penitentiary, Atlanta, Georgia, for Mailing Non-Mailable Matter. Short term sentence expires October 27, 1925. Alien sworn.

- Q. What is your name? A. Carlo Tresca
- Q. Where were you born? A. Solmoni, Province of Abruzzi, Italy.
- Q. How old are you? A. 45 years.
- Q. Of what race are you? A. South Italian.
- Q. Of what country are you a subject? A. Italy.
- Q. Have you ever become a naturalized U. S. citizen? A. No.
- Q. On what date did you last enter the United States? A. About August 1904, on a French ship from Havre to New York. I was a second class passenger, I think.
- Q. Were you inspected and admitted by immigration officials? A. Yes.
- Q. Are you married or single? A. Married.
- Q. What's your wife's name and address? A. Helga, 304 E. 14th Street, New York City.
- Q. Have you any children? A. Daughter, Beatrice 17, born in Philadelphia, now living with my wife.
- Q. Where was your wife born? A. In Italy.
- Q. If ordered deported are you able to take your family with you? A. Yes.
- Q. What relatives have you in the United States? A. Brother, Dr. E. Tresca, 19 W. 38th Street, New York City; E. Tresca, 304 E. 14th Street, New York; Sister, Mrs. A. De Purghilis, 38th Street and 2nd Avenue, N. Y. City
- Q. What relatives have you in Italy? A. Mother, Filomena, living in Lquila. My brother-in-law is an inspector in the Post Office there and I address her mail to him. I don't know her street address; Brother Arnaldo living in Rome; Brother, Felio in Venice.
- Q. What is your occupation? A. Editor of "Il Martello."
- Q. Were you ever a public charge? A. No.
- Q. Were you ever arrested before? A. I was arrested in New York City in 1913, and publishing non-mailable matter and fined \$50.
- Q. Why are you now confined in this Penitentiary? A. The Italian Government complained to the State Department here that I was publishing articles against the Italian Monarchy and the State Department complained to the Department of Justice and I was arrested on August 14, 1923, and the warrant stated that I published an article entitled "Down with the Monarchy". Then they found it was not easy to commit me on that crime and they indicted me for distributing books on birth control and also publishing an advertisement on birth control and I was convicted on the last charge.
- Q. Where were you living at the time of your arrest? A. 511 E. 134 St., New York City.
- Q. Where were you sentenced? A. In New York City in October, 1923, and I appealed and the sentence was affirmed.
- Q. What sentence did you receive? A. 1 year and 1 day.
- Q. Are you afflicted with any disease or disability? A. No.
- Q. Have you a passport? A. I had one but I don't think I have it now.

(COPY-2P)

Signed- Chas. L. Masek
Immigrant Inspector

Department of Justice

Bureau of Investigation

Washington, D. C.

March 14, 1925.

6.1-1325-209

MEMORANDUM FOR COLONEL DENOV, N.

I am attaching hereto for your information a copy of a letter which I have received from Mr. Francis Ralston Welsh relative to the case of Carlo Tresca. Mr. Welsh is a man, I understand, of independent means in Philadelphia and has for many years interested himself in the enforcement of law and order.

I thought that you would be interested in the comments of Mr. Welsh. I have merely replied to him, telling him that as there is but one Carlo Tresca, it was he whose sentence was recently commuted.

Kindly return the copy of the letter to me after you have read it.

Very truly yours,

J. E. Hoover

Director.

Encl.

C O P Y

FRANCIS RAISTON WELSH

20 South 15th St.,

Philadelphia, Pa. March 12, 1925.

J.E. Hoover, Esq.,
c/o Bureau of Investigation,
Department of Justice,
Washington, D.C.

Dear Mr. Hoover:

There is a clipping lying on my desk which, under date of February 16th, states that the President had granted a commutation of sentence to commence May 17th to Carlo Tresca, publisher of an Italian newspaper in New York City, who had been sentenced for advertising a birth control book in his paper. Is this the anarchist and I.W.W. agitator Carlo Tresca, the intimate friend of Elizabeth Gurley Flynn? I did not know that he had been jailed. Do you know if anyone prominent in Washington interested himself in Tresca's release and, if so, who it was? I will regard what you say as entirely confidential. If Tresca was in jail, he should have been left there on general principles. It is most distressing to have professional traitors escape the penalty for their crimes on technicalities and then be released, when they do get into jail, for reasons which take no consideration of the general character or the purposes of these criminals. Such cases were the release of Debs and the I.S.S. Sacramento crowd.

Keep your eyes open for Borah's connection with the Communists. It is there and the only question is one of degree. One fairly prominent Communist takes it very seriously.

Sincerely,

F.R. Welsh

P.S. If you come to Philadelphia would like to see you. I am about 100 yards from Broad St. Station of Penna. R.R.

Lavoratori! 7-211

DOMENICA 30 MARZO 1924

alle ore 2.30 P. M.

alla LASTER HALL 34 Andrew Street, Lynn, Mass.

il noto conferenziere

CARLO TRESCA

terza conferenza dal tema:

**"MONARCHIA
E FASCISMO"**

LAVORATORI.

La popolarità dell'oratore, sul quale ogni dubbio sulla serietà e competenza con cui tratterà l'argomento e' fuori luogo, e la grande attualità del tema sono esortazioni ardentissime per farci sperare che i lavoratori italiani di Lynn vorranno intervenire in massa.

Sarebbe tempo di scuotere per sempre l'abituale indifferenza e scegliere l'interessamento intorno a impellenti problemi di libertà, di pane e di emancipazione.

Non mancate!

Libera parola.

Libera entrata.

J. P. H. M.

March 14, 1925.

RECEIVED BY COLONEL JONES, N.

I am attaching hereto for your information a copy of a letter which I have received from Mr. Francis Ralston Welsh relative to the case of Carlo Tresca. Mr. Welsh is a man, I understand, of independent means in Philadelphia and his former years interested himself in the enforcement of law and order.

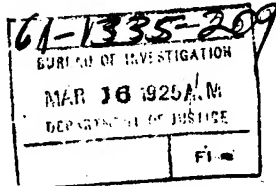
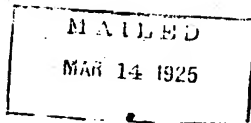
I thought that you would be interested in the contents of Mr. Welsh's. I have merely replied to him, telling him that as there is but one Carlo Tresca, it was he whose sentence was recently commuted.

Kindly return the copy of the letter to me after you have read it.

Very truly yours,

Director.

encl.



50139

61-177-0-1

April 8, 1925.

Honorable E. J. Neening,
Assistant Secretary of Labor,
Washington, D.C.

Sir:

Receipt is acknowledged of your communication of April 7 advising that the Department of Labor is contemplating deportation proceedings against one CARLO TRESCHI now serving a sentence at the Federal Penitentiary, Atlanta, Ga. This letter bore your file number 50139/400.

In your communication there is noted the quotation of an extract from a letter received from the District Director of Immigration, of Atlanta, Ga. which states in substance that he is advised that during the years of 1919 and 1920 CARLO TRESCHI was a member of the Communist Labor Party; was a member of the Union of Russian Workers in Chicago; and was run out of Waterbury, Conn. by the police, for his activities in fomenting a strike and rioting there. In compliance with your request for any information available in the files of this Department, or of the Bureau of Investigation, substantiating the above allegations, a search of the files has been made but no information has been found substantiating any of these three allegations. I am advised that in February 1925, the police of Waterbury, Conn. refused to permit TRESCHI to work in Waterbury, but no information is available indicating membership by this alien in either the Communist Labor Party or the Union of Russian Workers.

Very truly yours,

For the Attorney General,

(Signed) H. S. Ridgely.

Chief Attorney.

APR 14 1925



DEPARTMENT OF LABOR
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON

50149

No. 55438/405.

April 1, 1925.

The Honorable,
The Attorney General,
Washington, D. C.

My dear Mr. Attorney General:

This Department has the honor to inform you that it
is contemplating deportation proceedings against one. Carlo
Tresca, who is now serving a sentence in the Federal Penitentiary,
Atlanta, Georgia.

The following is quoted from a letter received from the
District Director of Immigration, Atlanta, Georgia:

"Another prisoner in the Penitentiary,
who was an official of the Department of
Justice and active during the years of 1919,
and 1920, states that he personally knows
that during those years Carlo Tresca was a
member of the Communist's Labor Party; was
a member of the Union of Russian Workers in
Chicago, and was run out of Waterbury, Conn-
ecticut, by the police for his activity in
fomenting a strike and rioting there. He is
unable to state why Tresca was not arrested
and deported at that time. He also states
that Tresca is affiliated with the Committee
of Forty-eight, composed of senators, congress-
men, and other prominent people, which may
explain why his sentence has been commuted.
As it will be only a short time before this
alien is released from the Penitentiary, I
am forwarding the application for the warrant
of arrest and request that you obtain the
records from the Department of Justice which
will support the charge that this alien was

61-1335-210

APR 8 1925 P.M.
RECEIVED
DIVISION 2
FILE

APR 1 1925

affiliated with the Union of Russian Workers and other organizations, furnishing a copy of those records for my files if you find they furnish the basis for the issuance of a warrant. Please give this case immediate consideration.

Will you please furnish as soon as possible such information as you may have concerning the alien?

I am, Sir, with great respect,

Very sincerely yours,

E. J. Henning
E. J. HENNING,
Assistant Secretary.